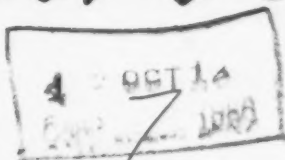


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Quarterly Journal



OF CURRENT ACQUISITIONS

VOLUME 17 • AUGUST 1960 • NUMBER 4

L.C. card 44-40782

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The Library of Congress QUARTERLY JOURNAL OF CURRENT ACQUISITIONS

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AUGUST 1960

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CONTENTS

ARTICLES

PAGE

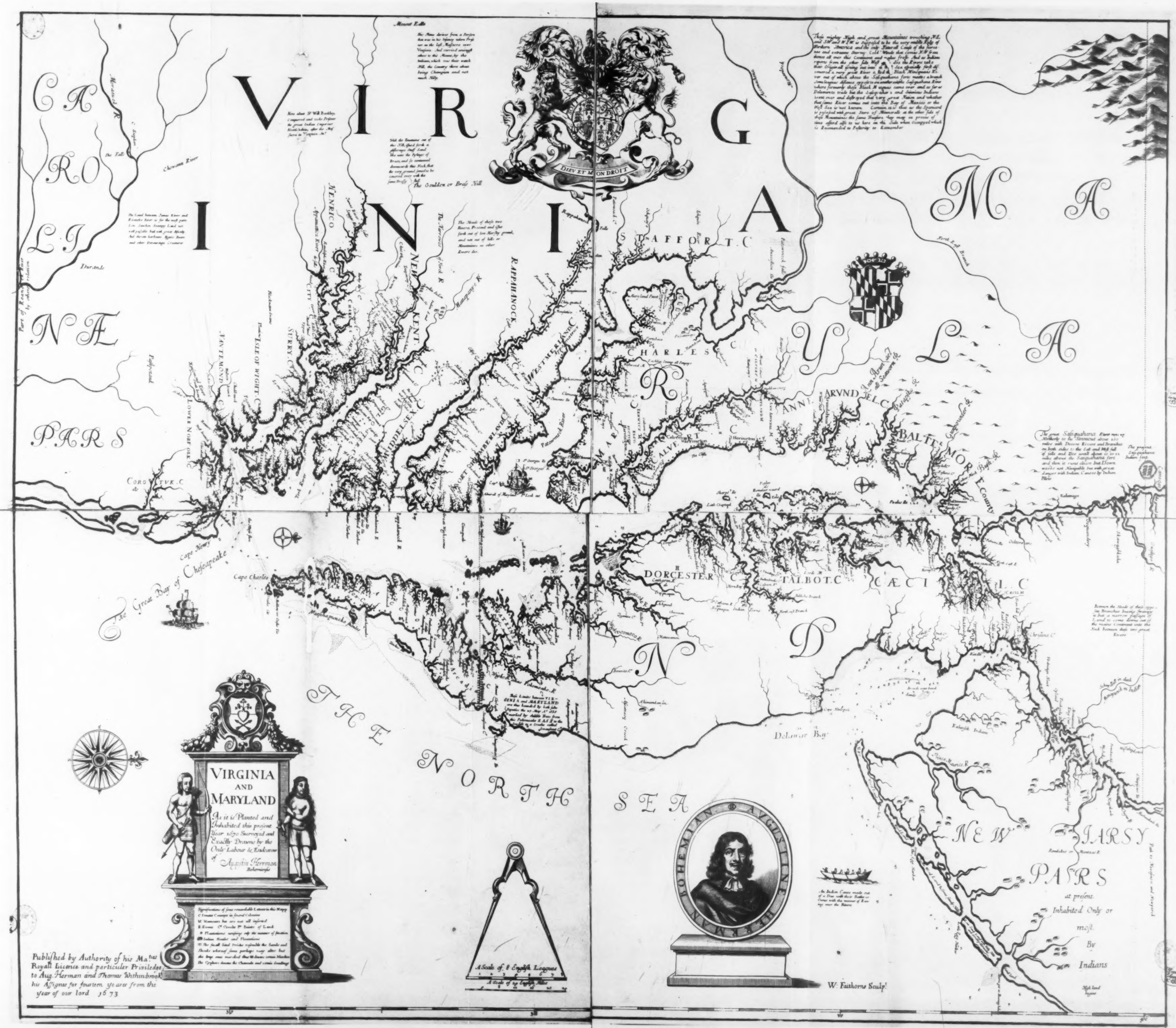
- Augustine Herrman's Map of Virginia and Maryland.
WALTER W. RISTOW..... 221
- The Jakhontov Papers. KAZIMIERZ GRZYBOWSKI..... 227

ANNUAL REPORTS

- Maps. WALTER W. RISTOW and CATHERINE I. BAHN..... 233
- Law. THE STAFF OF THE LAW LIBRARY..... 242

- INDEX TO VOLUME 17..... 287

PUBLISHED AS A SUPPLEMENT TO THE *Annual Report of the
Librarian of Congress*



VIRGINIA AND MARYLAND

As it is Planted and Inhabited this present Year 1630 Surveyed and Truly Drawne by the Only Laboure & Endeavour of Augustin Herrman

Signification of some remarkable Letters in this Map
C. Towns & Castles in General's Name
M. Villages that are not all English
B. Towns of the 1st Order of Land
H. Villages surveying only the names of Villages
I. Indian Villages and Plantations
In the small land tracts opposite the Land and
D. Indian Villages, some of which are not
The large ones marked that the Indians were
The Indians have the Customs and some trading



Published by Authority of his Majesty
Royal Licence and particular Priviledges
to Aug. Herman and Thomas Withinsbrooke
his Assignes for fourteen yeares from the
year of our lord 1673

W. Faden Sculp.



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Augustine Herrman's Map of Virginia and Maryland

NO MATTER HOW RICH and comprehensive may be its collections, it is a rare library which does not lack significant historical documents. Decades and even generations may sometimes pass before certain elusive items are acquired. High on the desiderata list of the Map Division, since its establishment in 1897, has been Augustine Herrman's rare map, *Virginia and Maryland*, published in 1673. Less than a century ago the Herrman map was virtually unknown in this country, even among scholars. Not until 1929 was an original copy of the map acquired by an American library.

Proudly reporting its accession by the John Carter Brown Library in that year, Lawrence C. Wroth described the Herrman map as "of such rarity as to be almost the subject of legend."¹ He further observed that "with the notable exception of the fundamental John Smith Map of Virginia of 1612, it is the most distinguished map of the early colonial period of English America."

Such a noteworthy historic document, obviously, should be in the collections of the Library of Congress. It is with a real sense of satisfaction and gratitude, therefore, that we report the acquisition of this outstanding cartographic and historic treasure.

Herrman's map, which bears the lengthy title "Virginia and Maryland As it is

Planted and Inhabited this present Year 1670 Surveyed and Exactly Drawne by the Only Labour & Endeavour of Augustin Herrman Bohemiensis," extends along the Atlantic coast from Barnegat, on the Jersey shore, southward beyond Cape Henry in Virginia. Portions of Carolina, New Jersey, and Pennsylvania, as well as Virginia, Maryland, and present Delaware are included.

The long-sought map was acquired through the generosity of Arthur A. Houghton, Jr., of New York City, long a friend and benefactor of the Library of Congress, and with the much appreciated cooperation of the Bibliothèque Nationale in Paris. Some months ago members of the Map Division staff learned that France's national library possessed two copies of the Herrman map. A letter promptly went off to the Bibliothèque Nationale's Curator of Maps and Charts inquiring whether an exchange or purchase might be negotiated for one copy. The reply was disappointing. Both copies, unfortunately, were in special collections which could not be violated.

Hope was revived several months later, when the Bibliothèque Nationale reported finding in its collections a third copy of the Virginia and Maryland map. Officials of that institution would, moreover, consider making this copy available to the Library of Congress on an exchange basis. Following further correspondence, agreement was reached whereby the Library of

¹ John Carter Brown Library, *Annual Report, 1929-30* (Providence, 1930).

Congress would purchase from a French dealer, at a specified price, a map desired by the Bibliothèque Nationale. The selected item, a fifteenth-century manuscript chart of the Mediterranean region, would be accepted in exchange for the Herrman map.

But a new roadblock was now encountered. All the Library's purchase funds for the year were already allocated. Would plans for acquiring the rare historic map have to be abandoned? Fortunately, the Library had a generous and public-spirited friend to whom it could turn. Mr. Houghton was approached and he readily offered to provide the funds for completing the transaction with the Bibliothèque Nationale. Thanks to his liberal gift, prompted by a longtime and active interest in enriching the collections of the national library, one of the truly noteworthy maps of colonial America is now in the Library of Congress. Here it adds further luster and distinction to the Map Division's storehouse of cartographic and historic rarities, and is available for examination and study by the nation's scholars.

Augustine Herrman, author of the map, was one of the most lusty and colorful personalities of seventeenth-century America. In addition to surveying and mapping, he was occupied at various times in industry, engineering, fur-trading, privateering, land speculation, commercial enterprises, slave-trading, public administration, diplomacy, law, finance, and farming.

Concerning Herrman's early years in his native Europe, we have only meager information. He was born in Prague, Bohemia, probably in 1605, of well-situated parents. Seemingly he had his early education in Prague, where he studied geology, surveying, languages, and classical literature. The elder Herrman was a follower of the pioneer Protestant reformer Jan Hus, and with the return to power of the anti-

Hussite forces the Herrman family fled Bohemia, about 1618. They went first to Germany, then settled in Amsterdam, where Augustine probably continued his studies.

Some accounts indicate that young Herrman spent several years in the army, serving under the Protestant hero Gustavus Adolphus around 1628. If this is true, he may have acquired engineering and surveying experience while in military service.

By the third decade of the century Amsterdam had become a leading center of commerce and trade. Almost every day ships entered the port with cargo from remote and fascinating parts of the world. The large trading companies sought bright young men to serve as their foreign agents, and Herrman was among those engaged by the Dutch West India Company.

When the young adventurer first went to America we do not know. There is record of his presence at the site of Philadelphia in 1633, when those lands were purchased from the Indians. During the next 10 or 12 years Herrman undoubtedly carried on trading activities in various parts of the West Indies and the North American colonies. In later years, he was to boast of having been the "beginner of the tobacco trade in Virginia."

By 1644, perhaps earlier, Herrman was an agent in New Amsterdam for the Dutch trading firm of Peter Gabry and Sons. Shortly thereafter he established his own trading company, and also engaged in farming, fur-trading, and land speculation. By the middle 1650's he was one of the leading merchants and citizens of New Amsterdam, and a close, though not always friendly, associate of Governor Peter Stuyvesant. The latter found it expedient to utilize Herrman's talents and experience on several missions involving relations and differences with neighboring colonies. One

such assignment resulted in the *Virginia and Maryland* map.

In 1655 the Dutch in America extended their possessions to the south by taking over the Swedish settlement on Delaware Bay. This accession of territory, however, opened up new problems, for it placed the Dutch in contact with the British lands of Lord Baltimore. Because of the vague and uncertain limits of the original grants it was inevitable that jurisdictional differences would develop.

Governor Josiah Fendall of Maryland, noting the increasing Dutch colonization on the Delaware, dispatched a military expedition in 1659 to inform the settlers that they were encroaching upon British territory. This in turn incensed the Dutch Governor Peter Stuyvesant, who appointed Augustine Herrman and Resolved Waldron as special ambassadors to discuss the matter with the Maryland governor. Herrman ably presented the Dutch claims, but no definite agreement was reached regarding the disputed territory. The report on the conference was carried back by Waldron, while Herrman repaired to Virginia to spend the winter with relatives and to negotiate trade treaties between that colony and New Amsterdam.

Herrman's travels through Maryland for the meeting with Governor Fendall, and his experiences at the conference, impressed upon him the need for a good map of the region. Consequently, in October 1659, he wrote to Governor Stuyvesant: "But first of all, the South River (Delaware) and the Virginias, with the lands and kills between both, ought to be laid down on an exact scale as to longitude and latitude, in a perfect map, that the extent of country on both sides may be correctly seen, and the work afterwards proceeded with, for some maps which the English have here are utterly imperfect and prejudicial to us. The sooner this is done the better, before Baltamoore whispers in the

ears of the States of England, and thus make the matter much more difficult."²

Herrman obviously enjoyed his winter in Virginia and Maryland, and decided to settle permanently in this region. Whether or not Stuyvesant's lack of interest in the proposal to make a map had any influence on his decision we do not know. Among other factors, he may also have foreseen the end of Dutch rule in New Amsterdam and decided to cast his lot with the British. Undoubtedly, too, he was impressed with the beauty of Maryland and its great expanses of unsettled land, and fancied the more gracious social life in the southern colonies.

Whatever his reasons, some time late in 1659 Herrman made an application to become a "denizen" of the territory of Maryland, in order to be able to hold property. On January 14, 1660, the denizenation order was signed by Lord Baltimore. Prior to this date Herrman had approached the Maryland proprietary with reference to mapping the territory, and apparently had even displayed a preliminary manuscript map to Baltimore. The act conferring denizen, or resident, rights on Herrman stated that inasmuch as the latter "for our satisfaction and the bennefitt of Trade hath drawne a Mapp of all the Rivers Creekes and Harbours thereunto belonging Know YEE that wee willing to give due encouragement to men of his profession . . . hereby Declare him the said Augustine Herman to be a free Denizen of this our Province of Maryland."³

In August 1661 Herrman received from Lord Baltimore the first of several extensive grants of land, which subsequently totaled between 20 and 25 thousand acres. Bohemia Manor, where he established his manorial residence, was named after Herr-

² *Archives of Maryland*, Vol. 3 (Baltimore, 1885), p. 398.

³ *Ibid.*, Vol. 1 (Baltimore, 1883), p. 398-99.

man's native land and included some 6,000 acres, located on both sides of the Elk River in what is now Cecil County. It was first surveyed in August 1661 and was granted to Herrman by patent of June 19, 1662, "for making the Mapp of this province."⁴

Some time in 1661 or 1662 Herrman transferred his family and servants from New Amsterdam to Bohemia Manor. He and his wife, the former Janneken Verlett of New Amsterdam, whom he married in 1651, had two sons and three daughters. Janneken apparently died shortly after the family moved to Maryland, for only the names of Herrman and his five children appear on the "Acte of Naturalization" papers which were submitted in 1663.⁵

Herrman conducted surveys and worked on his map for more than a decade, from 1659 to 1670. Preliminary surveys were made during his ambassadorial journey in 1659, and during that winter he undoubtedly did some mapping in Virginia. The map shows the greatest detail along the borders of Chesapeake Bay, and Herrman probably personally explored and surveyed this area. In addition to his own explorations, he undoubtedly consulted various printed and manuscript maps, including the one published by Captain John Smith in 1612.

The decade between 1660 and 1670 was a busy one for Herrman, and surveying often had to be halted for other pressing tasks. There were a manor house and other buildings to be constructed, land to be cleared, and new settlers to be located. For the first several years Herrman still maintained interests and property in New Amsterdam, and he also carried on some trading activities there as well as in Mary-

land. The death of his wife, and his remarriage in 1666, also delayed completion of the map. Moreover, he was not long resident in his new home before he was heavily involved in administrative and magisterial responsibilities.

Consequently, it was not until 1670 that the surveys were completed, and during the next several years Herrman was occupied in plotting, drafting, and ornamenting the map. The finished manuscript was sent to London, where it was engraved in 1673 by William Faithorne. It is suggested by some authorities that the engraver may have been recommended by Herrman's fellow Bohemian and probable boyhood companion, the artist Wenceslaus Hollar. The latter, it is noted, had some years earlier resided in the same London house as Faithorne. Herrman was not pleased with the engraved map; he is said to have remarked that it "was slobbered over by the engraver Faithorne defiling the prints by many errors."

Although no publisher's name appears on the map, it was published and sold by John Seller, well-known London map printer of the period. A notice in the *London Gazette* for 1674 (no. 873) states that "there is now Extant a new Map of Virginia and Maryland in four Sheets, describing the Countries, and the scituation of the Plantations in the said Countreys, with the Rivers, Creeks, Bayes, Roads and Harbors on the Sea-Coasts. Published by His Majesties especial Licence, and are sold by John Seller, Hydrographer to the King."⁶ On the John Carter Brown Library copy of the Herrman map (the only other known copy in this country) there is a pasted slip which bears the imprint: "Sold by John Seller, Hydrographer to the King at his shop in Exchange ally in Cornhill, London."

⁶ Quoted in P. Lee Phillips, *The Rare Map of Virginia and Maryland by Augustine Herrman* (Washington, 1911), p. 9.

⁴ Donnell M. Owings, "Private Manors: An Edited List," in *Maryland Historical Magazine*, XXXIII (December 1938), 332.

⁵ *Archives of Maryland*, Vol. 1 (Baltimore, 1883), p. 462.

The *Virginia and Maryland* map is on four sheets which, if joined, measure 31 by 37 $\frac{1}{4}$ inches. The two top sheets are 15 $\frac{3}{8}$ by 18 $\frac{5}{8}$ inches, and the bottom ones measure 15 $\frac{5}{8}$ by 18 $\frac{3}{8}$ inches. The Herrman map, like that prepared by John Smith in 1612, is oriented with west at the top. Chesapeake Bay, with its numerous embayments and tributary streams, occupies the central portion. Settlements, plantations, and Indian villages are named along the shores, and soundings are given for many of the bays and harbors. On the northwestern (*i.e.*, top right) sheet, hills and mountains are indicated by pictorial hill symbols and hachuring.

Notwithstanding Herrman's personal disappointment with Faithorne's craftsmanship, the map is an outstanding example of seventeenth-century drafting and engraving. The lengthy title and inscription are set in an ornate plate on the lower left sheet. The bottom of this plate is a pedestal, flanked on either side by an acanthus and faced with the legend or list of symbols used on the map. Standing on the pedestal, with the title inscription between them, are the figures of an Indian boy and girl. An ornamental shield, surmounted by a Neptune head and trailing clusters of leaves and fruit, decorates the top of the plate.

Other embellishments include the British royal arms, the shield of Lord Baltimore, a mariner's compass, a mason's compass, an Indian canoe, several sailing vessels, and a bust of Herrman. The latter, very likely a self-portrait, is set in an oval frame within which is lettered "Augustine Herrman Bohemian." (It is interesting to note that two different spellings of both the cartographer's surname and given name are found on the map. There are actually some dozen or more variations of Herrman's name in different documents and reports. The form "Herrman" is most commonly accepted today.)

Herrman apparently did not survey the area comprising the western part of the map. Printed descriptions give information (some of it legendary) about these regions and also serve to fill in the blank portions of the map. Thus, on the southwest sheet we are informed that "The Land between James River and Roanoke River is for the most parts Low Suncken Swampy Land not well passable but with great difficulty. And therein harbours Tygers Bears and other Devouring Creatures."

Although the 1673 map was apparently Herrman's only cartographic work, he is credited with having drawn the earliest view of New Amsterdam. This first appeared on Nicholas Van Visscher's map of New Netherland (1650), and later (1655) illustrated Adriaen Van der Donck's *Description of the New Netherlands*. Some Herrman biographers believe it likely that he may have helped Visscher in preparing the above-named map.

The Herrman map ranks with that of John Smith (1612) as one of the major cartographic publications of seventeenth-century America. Mathews has noted that "when compared with its predecessors Herrman's map shows a marked increase in detail and evidence of much greater time and labor spent in its preparation. Compared with the Smith map it shows that while Herrman was a more skillful draftsman and a better surveyor, he did not possess the geographic sense shown by Smith."⁷

Mathews believed that the "influence of Herrman on later works seems to have been about equal to that of Smith, since in the minds of the prominent map and atlas publishers of the last of the seventeenth and the first of the eighteenth centuries, these two men stand as the chief authorities for

⁷ E. B. Mathews, *Maps and Map-Makers of Maryland* (Baltimore, 1898), p. 385-86.

the cartographic representation of the territory on each side of the Chesapeake Bay."⁸

The *Virginia and Maryland* map was copied and adapted by mapmakers for more than a century after its publication. It was especially important in helping to solve the boundary differences between Maryland, Virginia, and Pennsylvania. "Indeed," says Lawrence C. Wroth, "the usefulness of the map has been extraordinary from the earliest days, for in the ninety years of Privy Council and Chancery proceedings that resulted in the running of the Mason and Dixon line between Maryland and Pennsylvania in 1763, the Herrman map was always looked upon as an important exhibit between the Baltimores and the Penns."⁹ Wroth notes that "it is an ironical reflection that, in spite of Lord Baltimore's pleasure and satisfaction in this delineation of his province, the Herrman map should have been used successfully against the interests of his colony, and of the State of Maryland, in every boundary dispute from the day of its construction to the present generation."¹⁰

The Library's acquisition increases to five the number of known copies of August-

tine Herrman's map. In addition to that in the John Carter Brown Library, there are three in Europe: one in the British Museum, and two in the Bibliothèque Nationale in Paris. In the latter library one copy is in the collection of d'Anville and the other in the collection of the Service Hydrographique de la Marine.

Through the years a number of facsimiles and reproductions of the map have been made. P. Lee Phillips, first Chief of the Map Division, published a monograph in 1911 entitled *The Rare Map of Virginia and Maryland by Augustine Herrman. A Bibliographical Account with Facsimile Reproduction from the Copy in the British Museum* (Washington, 1911). Still available is a facsimile published in 1941 by the John Carter Brown Library, of the copy in its collections.

The Map Division copy is in an excellent state of preservation. Each of the four sheets had been folded in half, apparently for some time, and there are several wormholes along the folds. For permanent preservation the map has been laminated, with cloth backing, retaining the four-sheet format.

WALTER W. RISTOW
Assistant Chief
Map Division

⁸ *Ibid.*, p. 386.

⁹ John Carter Brown Library, *Annual Report, 1929-30* (Providence, 1930), p. 10.

¹⁰ *Ibid.*, p. 13.

The Jakhontov Papers

ARKADI NIKOLAIEVITCH JAKHONTOV was the chief of the chancellery of the Council of Ministers of Russia until the monarchy was replaced by the provisional government in the February 1917 revolution. His duties involved the safeguarding of confidential files concerning matters debated in the Council of Ministers, and in this modest but important capacity he presided over the affairs of the highest authorities in imperial Russia. He handled the communications between the Council and the tsar, and other very important documents pertaining to the formulation of the policies of the great empire.

When the revolution occurred, probably so as to assure the orderly resumption of government in case his masters should return to power, Arkadi Nikolaievitch packed a few suitcases with the secret files and eventually went into exile, from which he never returned, since the pre-condition for his resumption of office—the reestablishment of the monarchy—never took place. Time and the course of events demonstrated that the absence of these files was never an obstacle to the rapid succession of regimes, ending finally with the Bolshevik revolution.

The disposal of these files, with the result that some of them have reached the Library of Congress, is, in all probability, one of those signs which marked the extinction of hope. And while there is no chance that issues to which they pertain will ever again in the same form occupy the minds of the rulers of Russia, they are still of interest. It is historians and not

rulers of the empire who seek information in those records of the past, to organize facts and ideas into the pattern of history.

Before going any further, a brief description of the Jakhontov papers is in order. The most important item is a number of printed copies of the minutes of meetings of the Council of Ministers, with various documents, correspondence, and notes made during these meetings. These minutes were printed for the perusal of the tsar, who afterwards signified his assent or disagreement with the proposed measures. All of these documents were classified into three categories: "secret," "very secret," and "top secret."

In order to gain perspective with regard to the significance of the collection and its interest for the historians, a short outline of the constitutional arrangements of the Russian government on the verge of the collapse of monarchy is necessary.

The Constitution of 1906 reshaped the supreme authorities of the Russian empire according to the usual pattern of the rule of law under constitutional monarchy. A parliament consisting of two chambers, the elective Duma and the appointed State Council, constituted the legislature of Russia, while the Council of Ministers represented the executive branch of government. The tsar dominated the scene as the unifying element in the entire governmental structure, giving his assent to laws and presiding over the executive branch. Under the Constitution, the throne was to provide that element of unity under the auspices of which the govern-

ment acted as a single whole, representing the sovereignty of the Russian empire.

As with all other constitutions of the world, the Constitution of 1906 provided only a form into which constitutional practice put the meaning and content, and in the period covered by the documents the functioning of the Russian Government under the Constitution of 1906 had assumed a definite shape. It was characterized by the commanding position of the throne. For various reasons, among others the presence of great oratorical talents but little statemanship in the Russian Duma, the executive branch of the government, relying on the powers of the throne, won an upper hand in the contest for power and importance between the executive and the representative branches of government. If on the one hand this development was the result of the Duma's inability to provide that constructive initiative which is the sole guarantee of success in politics, the government on the other hand resorted too easily to exceptional powers, in particular in its frequent enactment of imperial ukases by authority of Article 87 of the Constitution. This provision of the Constitution permitted the introduction of new laws without the participation of the representative institutions and while they were in recess, with the exception of legislation pertaining to constitutional matters, or affecting the legislative chamber or electoral laws for the Duma. Furthermore, the Constitution limited resort to the provisions of article 87 only to cases of emergency.

Russian constitutional practice, however, permitted the bypassing of legislative institutions and the consolidation of all powers again in the hands of the tsar. After the dissolution of the Second Duma, which had been elected by a general, direct, and secret ballot, the new electoral law (ukase of June 3, 1907) prepared by Stolypin—at that time chairman of the Council of Minis-

ters—was enacted. It restricted substantially the right of representation of the national minorities and of the lower classes of society, assuring predominance to the upper strata of the Russian nation, whose interests made them faithful servants of the throne.

This first breach of the Constitution was followed by the suspension of the Duma in 1912 for three days (March 12–15) in order to bypass it and to introduce, by imperial ukase, the law on local elective government in the six western guberniyas of Russia, a law which was opposed in the chambers. By the use of this stratagem the system of parallel legislative powers exercised by the executive in the name of the tsar was reestablished, not excluding constitutional and electoral legislation.

The Jakhontov papers throw additional light on the question of the distribution of legislative powers and the system of mutual checks and balances in the exercise of legislative powers by the governmental machinery of Russia. The debate concerning the enactment of the new regime in Russian Poland, giving Poles some measure of self-government, turned around the question of the method to be used in its enactment. Those who favored some autonomy for the Poles advocated the use of article 87 of the Constitution, while the opposition to the abolition of rule by bureaucracy in Poland insisted on the regular procedure through the legislative chambers, counting on the possibility that in the process the proposed concessions would be killed. A historian will find in the papers considerable information on the political climate in that period of Russian history, and on the question of concessions and reforms as it was then in the minds of the governing personalities in Russia.

Another aspect which is of importance equal to the legislative-executive relations

is the problem of government-throne relations, which, in contrast to the developments in the legislative branch of government, were taking shape behind the closed doors. In this respect the Jakhontov papers are full of interesting information.

The phraseology used in the Constitution of 1906 suggested that the participation of the tsar in the functioning of the government was modeled after the pattern of the constitutional monarchies of Western Europe. Article 24 of the Constitution provided that imperial edicts and orders required a ministerial countersignature, which indicated that decisions were made by those who assumed responsibility. Also it was the constitutional responsibility of the Council of Ministers, under its chairman, to formulate and direct the governmental policies of Russia. But again the constitutional phraseology had to derive meaning from practice, and in this respect the Jakhontov papers, containing material on several vital matters, illustrate the operation of the supreme authorities of the empire. The reports and documents in the Jakhontov papers covering the debates of the Council of Ministers, initiated either on imperial command or caused by urgent national matters, give an insight into the question of where the center of decision lay, and who formulated the policies of Russia.

By far the most important part of the collection is a set of documents relative to plans to give autonomy to Poland. These plans, which were debated by the government of the empire, involved both internal and international policies. Poland's autonomy was a delicate matter, of great urgency in view of the war, and fraught with great dangers for the contemporary regime. As a result all the wheels of government, both official and unofficial, were

set in motion, and consequently this part of the Jakhontov papers is of capital importance for this aspect of the constitutional development in Russia.

The papers contain other material of great interest. Various decisions and debates in the Council of Ministers deal with the organization of war industries, the draft into the imperial armies of the native populations which had until then enjoyed exemption from military service, the treatment of enemy aliens, measures to suppress German influence in Russia, and similar topics.

An interesting feature of the collection is that in addition to the final printed texts of the minutes of the debates in the Council of Ministers, we also find pencil notes on the discussions. A careful study of these notes may reveal to what extent the text eventually sent to the tsar was a true record of the proceedings. We know from another source (depositions of Secretary of State Kryzhanovskii before the Special Commission established after the revolution) that the tsar at the time received an edited copy, and that there were sometimes important reasons why a conflict of opinions within the Council was kept from his eyes.

The Jakhontov papers are also a source of information on the activities of various personalities prominent in Russian politics, on members of influential circles, and on the inside opinion of the official government of Russia on various private personalities, in particular that part of the Polish leadership which supported the so-called Russian orientation in Poland.

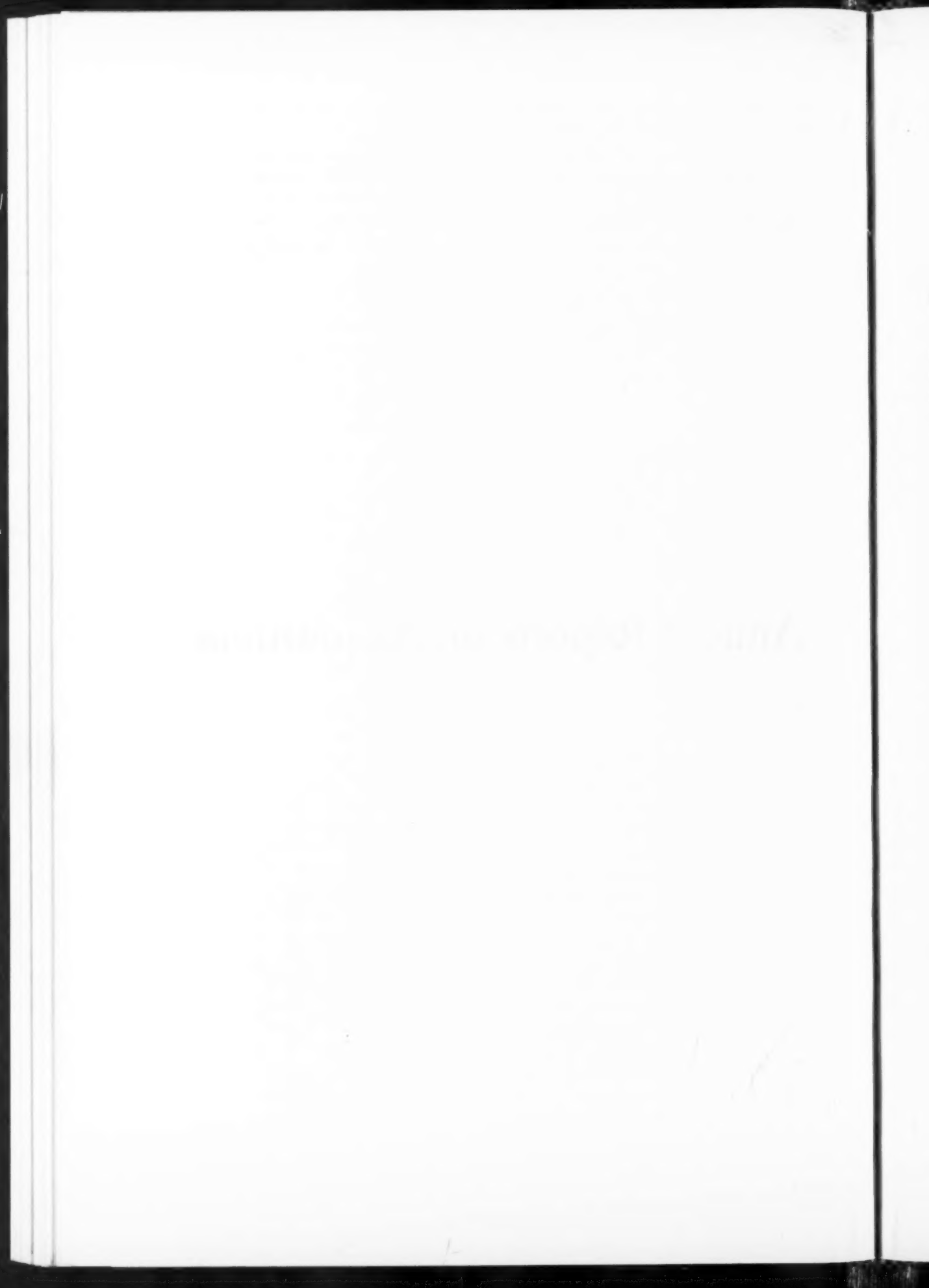
To put the importance of the Jakhontov papers in proper perspective, it must be added that they constitute a significant although only a small fragment in the great mass of information contained in the publications which later appeared in Soviet Russia, in the memoirs of Russian statesmen, foreign ambassadors, and other public

figures. They are also significant in that they constitute a set of authentic documents, and not mere reproductions; and a historian of Russian affairs can glean from the very shape of the documents impressions invaluable for recapturing the atmosphere of the times and of the milieu, and

the ideas of men who were involved in one of the most critical moments in the history of modern Russia.

KAZIMIERZ GRZYBOWSKI
*Formerly of the
Mid-European Law Project,
Law Library*

Annual Reports on Acquisitions



Maps

THERE IS MUCH TRUTH in the school-boy's observation that "maps are for going places." Transportation maps constitute, certainly, a large segment of the total cartographic output. Most numerous are automobile road maps, the production of which rises proportionately with the ever-increasing number of motor vehicles. Free maps, liberally distributed through service stations and automobile associations, are accepted today by the American motorist as one of his inviolable birthrights.

It is estimated that car-owners in the United States collect some 200,000,000 road maps each year. About a fourth of the total distribution is to the membership of automobile clubs. State highway, recreation, and tourist departments account for another 10 percent. The remaining 65 percent are dispensed by operators of the several hundred thousand gas stations located at strategic crossroads and along highways and byways throughout the country.

Although they advertise many different brands of gasoline and lubricants, virtually all gas station maps are compiled and published by three map companies. These are the General Drafting Company, of Convent Station, N.J., the H. H. Gousha Company of Chicago and Alameda, Calif., and Rand McNally and Company of Chicago.

The story of the origin and of half a century of growth of one of these road map producers was recorded last year in an article by Paul B. Lee entitled "General Drafting Celebrates Fifty Years of Map-making," which appeared in the March

1959 issue of *Surveying and Mapping*, and in a 64-page souvenir book entitled "Of Maps and Mapping." The latter, published by the General Drafting Company for free distribution to its friends and clients, summarizes the history of map-making, describes the company's cartographic methods and procedures, and details the effective use of maps and related publications in advertising and public relations.

The significance of this specialized and popular branch of cartography is evident in the fact that during 1958 General Drafting alone issued more than 30 million road maps. In 1933 four-color maps were introduced by the company, and three years later General Drafting pioneered with the colorful pictorial maps which are a popular feature of many Esso road maps.

In recent years General Drafting, along with the other major producers, has been preparing for its oil company clients road maps of countries in South America, Western Europe, and Africa, designed for free distribution. This will undoubtedly have far-reaching effects upon map-using habits in those countries, where the public has been accustomed to purchasing its road maps.

The preparation of maps and charts for air navigation constitutes another specialized and productive phase of transportation cartography. In quantity of output, aeronautical charts are almost as numerous as road maps. The periods of development of these two relatively young branches of map making are closely parallel. Thus

aviation cartography, too, celebrated a golden anniversary in 1959.

The first map specifically designed for aerial navigation was published in Germany in 1909. To commemorate this event there was opened in Munich in September 1959 an international exhibit called 50 Jahre Luftfahrt-Kartographie (Fifty Years of Aviation Cartography). Some 200 items tracing the development of air navigation maps during the past half-century were displayed. A souvenir booklet listing and describing the maps was published by the Institut für Angewandte Geodäsie, of Frankfurt a/M. The booklet, entitled *Beiträge zur Geschichte der Luftfahrtkarte*, also includes an extensive list of bibliographical references (unannotated) pertaining to aeronautical charts.

A related work, available from the Library's Card Division, is the second edition of *Aviation Cartography*, originally published by the Library of Congress in 1956. The revised and enlarged edition, compiled by Walter W. Ristow of the Map Division, includes a comprehensive historical summary and almost 800 annotated references on aeronautical charts.

Although aviation cartography had its beginnings 50 years ago, progress was slow, though steady, during the first three decades. The big impetus to aviation and to aeronautical charts was provided by World War II. Production output for one record day was 10 tons of charts. A major wartime achievement was the completion of a worldwide aeronautical chart at the scale of 1:1,000,000.

The end of World War II caused a temporary stagnation in chart development and production. The Korean War, jet aircraft, new electronic navigation aids, improved cartographic techniques and materials, scheduled flights over the polar regions, and successful orbiting of artificial earth satellites have, during the past 15

years, challenged chart producers to new and greater achievements. Many novel and specialized charts and graphics have been devised to meet the rapidly developing needs of modern supersonic air transportation.

Space navigation presents even more complex and unconventional problems to the chart maker. Only the future can tell how well and how effectively these will be solved.

Road maps, as noted above, are largely the product of private enterprise. In contrast, aviation cartography is almost exclusively a governmental interest. In the United States, responsibility for chart production is shared by three Federal agencies.

The Air Commerce Act, passed by Congress in 1926, assigned to the Secretary of Commerce responsibility for preparing charts of the United States for private and commercial pilots. The actual compilation is performed by the Department's Coast and Geodetic Survey, which during one recent year distributed 51 million charts.

The Air Force's Aeronautical Chart and Information Center, with headquarters in St. Louis, has primary responsibility for producing charts for the military services. Its catalog includes coverage for all parts of the world and lists a variety of charts designed to meet specific navigational needs. Some charts used by Navy flyers are produced by the Navy's Hydrographic Office.

Aeronautical charts and road maps, needless to say, are well represented in the Map Division's accessions for the year covered by this report, May 1, 1959 to April 30, 1960. A host of other maps and charts for all parts of the world, dealing with an almost endless variety of subjects, are also included in the more than 122,000 cartographic items acquired. To facilitate comparison with previous years, the ac-

cessions figures are here tabulated by source categories:

Source:	Maps	Atlases
Transfer -----	*74,390	*271
International ex- change -----	*20,468	86
Government source -----	*16,237	*82
Purchase -----	6,407	397
Copyright -----	*2,172	333
Gift -----	*1,022	21
Domestic ex- change -----	*255	3
	120,951	1,193

*Increase over previous year.

The 1960 acquisitions show an increase of more than 25 percent over the preceding year, and on only two previous occasions (1952 and 1953), has the 122,000 total been exceeded. It is significant that map accession figures, for the current year, show gains in all source categories except purchase.

Transfer

Outdated and surplus maps and atlases, weeded from the collections of other Federal agencies, again comprise the largest single group of accessions. Recorded as "transfers," they account for 62 percent of the year's receipts. Approximately 42,000 maps and atlases were transferred from various agencies during the current year. The remainder, some 32,500, were derived from the unprocessed backlog, which includes materials received in quantity during the years immediately following World War II. All items acquired by transfer during the year were processed and either added to the collections or consigned to the duplicate files. None were routed to the unprocessed backlog.

As the map collections of the Library grow, the percentage of potential duplicates in the transfer material increases. Consequently certain categories of proposed transfers are automatically rejected. Others are examined at the source by Map

Division staff members. Some 5,000 items were declined as a result of such examinations.

Maps and atlases acquired by transfer are, of course, not current publications. They serve, however, to fill significant gaps in the Library's holdings and help build up the strength in depth, which is matched by few, if any, of the other large map collections of the world.

The Army Map Service continues to be the major source for transfers. During the year some 29,000 items were received from this agency. The Bureau of Public Roads, the Department of State, the National Archives, the Coast and Geodetic Survey, the Geological Survey, the Bureau of the Census, and the Aeronautical Chart and Information Center supplied between 2,600 and 600 items, in descending order.

As in previous years, much of the work of processing transfers was carried out during the summer months by temporary employees recruited from graduate departments of geography in various universities and from map libraries. Some 150,000 surplus duplicates not needed for the Library's collections were distributed on exchange to institutions participating in the summer map processing project.

Gifts

Gift accessions, though less than one percent of total receipts, are almost twice as numerous as during 1959. They include both current and noncurrent items. Many in the former category, which is by far the smaller group, are publications presented by friends and professional associates, some of whom have made extensive use of the Library's collections.

In this category are two welcome new studies in historical cartography. *Early Maps of the Ohio Valley*, issued by Pittsburgh University Press in 1959, was presented by its author, Lloyd A. Brown.

From Carl Irving Wheat, of Menlo Park, Calif., came the third volume of his comprehensive and informative study. *The Mapping of the Trans-Mississippi West, 1540-1861*, issued by the Institute of Historical Cartography of San Francisco in 1959. Subtitled *From the Mexican War to the Boundary Surveys (1846-1854)*, this volume is appropriately dedicated to the Map Division's Mrs. Clara Egli Le Gear, "who from her unparalleled fund of knowledge of the early maps has graciously and generously shared her riches."

Among the year's distinguished donors is the Honorable Richard M. Nixon, Vice President of the United States. His welcome gift was a copy of the *Atlas Östliches Mitteleuropa* (Atlas of East Central Europe), published in 1959 by Velhagen and Klasing at Bielefeld, West Germany.

Other gifts in the current publications category include Section II of the *Atlas of Illinois Resources*, entitled *Mineral Resources* and dated 1959, which was presented by Prof. Fred Foster of the University of Illinois, and *A Translation of the Map Legends in the Economic Atlas of Japan [Nihon Keizai Chizu]*, 1959, edited by Norton Ginsburg and John D. Eyre and received from Prof. Ginsburg of the University of Chicago. A plastic relief model of the Shenandoah National Park (1959) was presented by its publisher, the Aero Service Corporation of Philadelphia.

Among the noncurrent receipts were a number of maps presented by the United Presbyterian Church in the United States of America, and a group of maps and atlases received from Anita Reinhard, of New York City.

The most distinctive acquisition of the year was Augustine Herrman's rare map of Virginia and Maryland (1673), the receipt of which was assured by a generous gift from Arthur A. Houghton, Jr., of New York City. It is described in a separate article in this issue of the *Quarterly Journal*.

Domestic Exchange

The number of items received through domestic exchange channels was relatively insignificant. Nonetheless, the Map Division for several reasons values its relations with other libraries and map collections. As noted above, a number of institutions collaborated on the Map Division's summer map processing project, in exchange for duplicate maps and atlases.

By increasing their cartographic collections, libraries in various parts of the United States are better able to meet their own reference needs as well as those of scholars in their localities. As these regional cartographic libraries grow they become less dependent upon the Map Division.

Though few in number, items received on domestic exchange are often unavailable through other channels. Reproductions of rare historic manuscript and printed maps held by local and institutional libraries comprise one such group of domestic exchange desiderata. Facsimiles of such maps, published in limited editions, are also acquired occasionally through this source.

During the year the Map Division benefited from its exchange relations with the following: the American Geographical Society of New York, the University of Arizona, the Baker Library of Dartmouth College, the Delaware State Library, the University of Kansas, the University of Kentucky, the Massachusetts Historical Society, the National Geographic Society, and the Newberry Library.

International Exchange

Current production of maps and atlases is best revealed by receipts through international exchange, government source, purchase, and copyright. Acquisitions from these four sources account for 37.5 percent of the maps and 74 percent of the atlases. The figures (45,284 maps and

898 atlases) constitute a rough estimate of the world's cartographic output in the countries outside the Soviet bloc.

Foreign maps and atlases, acquired primarily through international exchange, show an increase of 26 percent over 1959. Most of the 20,554 items in this category were received through the Inter-Agency Map Procurement Coordination Committee. The work of this committee and of the geographic attachés who serve it has been described in previous acquisitions reports.

The small number of geographic attachés limits the frequency with which particular areas can be visited. Consequently many exchanges must operate without the benefit of personal visits for as many as four or five years. From certain countries, such as Great Britain, annual map receipts are quite stable and constant (more than 5,000 during the year). For other areas, such as Latin America and Africa, procurement fluctuates from year to year and shows maximum returns following a visit by the geographic attaché. Thus, the receipt of a large number of maps from some of the African nations is a direct response to a special procurement tour in that continent by one of the procurement officers. More than 2,000 maps, about 10 percent of the international exchange total, came from this area.

The attaché for Southwest Europe concentrated his attention on Spain and France during the year, with combined total receipts of more than 3,000 maps forthcoming from these countries. An unusually good return from Japan (1,700 maps) is also due to a concentrated canvass by a procurement officer.

Map production in Canada continues at a steady high, with some 2,500 items coming from our northern neighbor. This figure is about the same as that for the past several years.

Latin American countries, in the aggregate, supplied more than 2,100 maps. Major sources were (in descending order) Colombia, Mexico, Venezuela, Brazil, Chile, Argentina, and Cuba.

Receipts from Japan, noted above, constitute more than half of the total for Asiatic accessions. Only four other countries—Malaya, Thailand, India, and Vietnam—supplied more than 200 maps each. Procurement from India was accomplished, in part, by Jennings Wood, Chief of the Exchange and Gift Division, who spent some months in that country on a special assignment for the Library.

Government Source

Accessions in this category showed a 20 percent increase over the 1959 figure. Seventy-five percent of the more than 16,000 maps and atlases were supplied by Federal mapping agencies. The remainder came from State, county, and municipal map publishers. Whereas some 20 or more United States Government agencies publish maps, the bulk of the Federal cartographic production is contributed by a half-dozen agencies. The Army Map Service, with its responsibility for producing and maintaining worldwide map coverage for the Defense Department, continued to be the most prolific producer. Some 7,300 maps came from this one source.

Also primarily concerned with foreign areas is the Aeronautical Chart and Information Center, which provides air charts of all parts of the world for Air Force and Navy flyers. More than 500 charts were received from the ACIC. This does not represent total production, inasmuch as the Map Division does not collect copies of all editions of the many and varied aeronautical chart series.

Nautical charts of the seas and harbors of the world (exclusive of the United States and its possessions) are published by the Navy's Hydrographic Office. The charts

must be revised frequently in the interest of safe navigation. Some 450 new and revised hydrographic charts were deposited in the Library this year.

The principal producers of domestic maps are the Geological Survey (Department of the Interior), and the Coast and Geodetic Survey (Department of Commerce). With its accelerated program of preparing large- and medium-scale topographic maps of the country, as well as geological and mineral maps, the former agency's deposit during the year exceeded 2,700 maps.

Aeronautical charts for the United States and its dependencies and nautical charts for coastal waters and harbors comprise the bulk of the cartographic output of the Coast and Geodetic Survey. The receipts from this agency totaled approximately 700 maps and charts. Of interest to the growing number of cruising enthusiasts is a new series of small-craft charts recently introduced by the Coast Survey. The first area covered by the series is the Potomac River from its mouth at Point Lookout, Md., to the head of navigation beyond the city of Washington.

Several hundred city plans were received from municipal publishers in response to letters sent out last year. During 1960 request letters were sent to State highway departments, with a resultant return of some 1,800 State and county road maps, several atlases, and city traffic maps. Planning and development atlases and maps were also received from non-Federal governmental publishers.

The States which supplied the largest number of maps were, by rank, Missouri, Vermont, Texas, Kentucky, Idaho, Montana, Louisiana, Connecticut, North Dakota, Utah, West Virginia, and Kansas.

Purchases

It is in this category that there was the only decrease in map acquisitions in rela-

tion to the previous year. The difference was not great, however, and it probably was related to the fact that no appropriated funds were available for the purchase of retrospective materials.

Purchases, therefore, brought to the collections primarily foreign atlases and maps which were not obtainable through exchanges. Over 90 percent of the map purchases and 80 percent of the atlases in this category came through procurement officers (*i.e.* geographic attachés and other United States Government representatives) based in foreign countries.

The major purchases were made in areas which also yielded significant returns through international exchange, among them Japan, Germany, the United Kingdom, France, India, the Netherlands, and Turkey. It is interesting to note that the Soviet Union, with which country the Inter-Agency Map Procurement Coordination Committee has limited exchange relations, is an important source for cartographic purchases. These primarily include atlases, tourist maps and guides, and school wall maps.

Copyright Deposits

Less than two percent of the map acquisitions were received through the Copyright Office, but 28 percent of all atlases came through this source. Virtually all atlases published commercially in the United States are in this category of receipts.

Among the 2,172 copyrighted maps were a number of road maps prepared by the publishers mentioned earlier in this report. Large commercial depositors of general maps and atlases include the well-established cartographic firms of George F. Cram, Denoyer-Geppert, Hagstrom, C. S. Hammond, A. J. Nystrom, Rand McNally, Sanborn, and Weber Costello.

Less known to the general public is an expanding group of map companies en-

gaged in preparing large-scale maps for the oil industry. The maps, most of which are of the cadastral type, are based upon aerial photography and show property boundaries and owners as well as locations of oil wells. The master maps maintained in the publishers' offices are kept up to date with frequent revisions, and ozalid or blue-line reproductions are made for sale to customers.

Companies engaged in this specialized phase of cartography, all of which are located in the West or Southwest, include Jack Ammon Photogrammetry Engineers, the Homer R. Dulin Company, the Mid Continent Map Company, Muldrow Aerial Surveys, the Northwest Mapping Service, Oklahoma Oil Maps, the South Texas Mapping Service, Thomas Bros., and Tobin Aerial Surveys.

Among copyright registrants one finds, too, the names of many individuals whose cartographic output comprises but one map. Among such examples of personal cartography are John F. Blandin's *Your Pocket Map to Peoria, Illinois*, Ernest Dudley Chase's *Alaska, the 49th State*, and Lydia Rogers' *Map of Robbinsdale, Minnesota*. The first two were published in 1959, the third in 1956.

Selected Maps and Atlases

The air traveler today, jetting across the continent at near-supersonic speed, can obtain only fleeting glimpses of the landscape which is unrolling 19,000 feet below him. Similarly, the reader of this report, scanning brief descriptions of a few of the 122,000 maps and atlases acquired by the Library during the year, receives an incomplete picture of the nature and character of the incoming volume of cartographic publications.

Presentation of a random selection may, however, serve to call to the attention of the dedicated cartophile as well as to the

casual map user the length, depth, and breadth of cartographic reference resources. Such a sampling, too, may excite interest and encourage further exploration in this field.

National and international events are reflected in map and atlas publishing. Thus, the upsurge of Africa has stirred publishers to produce maps of the onetime "dark continent" and its several entities. Some of the newly established republics are shown on a 1960 map published by Cartes Taride of Paris, called *Afrique*. The scale is 1:8,000,000 and the measurements are 45 by 39 inches.

Two new maps of the continent were published in 1958 by France's Direction de la Documentation, in Paris. *Carte Économique de l'Afrique* shows the resources, industries, and communication systems of the continent. The distribution of natural vegetation and agricultural products are shown on *Carte agricole de l'Afrique*. On an inset of the latter, distribution of livestock is mapped. Both maps measure 33 by 31 inches and are at the scale of 1:10,000,000.

Carte géologique de l'Afrique Equatoriale Française was compiled by Georges Gerard and published in 1958 by Gouvernement Général de l'Afrique Equatoriale Française. It is supplemented by a 198-page descriptive text, prepared by the compiler. The map is on four sheets, each of which measures 33 by 23 inches. The scale is 1:2,000,000.

A three-sheet map entitled *West Africa*, at the scale of 1:2,000,000, was compiled and published by the Ghana Survey Department in 1957. It extends as far as Fort Lamy and from the Gulf of Guinea north to Tombouctou, beyond 17 degrees north latitude.

Sahara au 1:4,000,000 is a 1959 publication of Ivan du Jonchay and Boudeville-Verduron of Paris. Among the many cultural and physical features shown are

roads and railroads of several classes, airports and seaplane bases, water bodies, generalized elevation, ergs, oases, petroleum regions, and known deposits and producing areas for some 20 or more minerals. The map is 31 by 37 inches in size.

Mean Annual Rainfall Map of East Africa is based on data available to 1955. It was compiled by the Meteorological Department of the East African High Commission and drawn by the Geological Survey Department of Tanganyika. Nine rainfall types are shown, ranging from less than 10 to over 80 inches. The two-sheet map is at the scale of 1:2,000,000.

E. L. Esson & Co., Ltd., of Johannesburg, published during 1959 several pictorial maps of the southern part of the African continent. They include *The Cape of Good Hope; a Guide to its Pleasures Resorts & Historic Places*, and *Natal; a Guide to its Pleasures Resorts & Historic Places*. Both are decorated with sketches of scenic and historic places and portraits of early explorers. Each measures 27 by 33 inches. Similar in appearance and title is *The Transvaal; a Guide to its Pleasures and Historic Places*, published in 1959 by Hortors Limited of Johannesburg.

Geological, mineral, and resource maps rank high in interest in the sphere of special subject cartography. A contribution to the glacial geology of this country is a 1959 *Glacial Map of the United States East of the Rocky Mountains*. It is at the scale of 1:1,750,000 and is printed on two sheets, each measuring 35 by 41 inches. The map was prepared by a committee of the Division of Earth Sciences of the National Research Council, under the chairmanship of Richard F. Flint of Yale University. The publisher is the Geological Society of America, in New York City.

Canadian Iron Ore and the North American Iron and Steel Industry is the title of a 1958 map published by the Geological Survey of Canada. It shows iron-

ore regions developed or under exploration, ore-consuming areas, and coal-producing regions in the eastern parts of Canada and the United States. The map is 28½ by 27 inches and is at the scale of 1:10,000,000.

The geology of Sweden is presented on two maps published in 1958 by the Kartografiska Institutet, in Stockholm. Both are at the scale of 1:1,000,000 and are printed on three sheets, each measuring 21 by 29 inches. *Karta över sveriges jordarter* shows the quaternary deposits of the country. Areas delimited are of bogs and swamps, clay, silt, and very fine sand; sand, coarse fine sand, and fluvial sediments; eskers and deltas; moraine clay; exposed bed rock; and mountains. The map was compiled by G. Lundqvist and is based on data derived from studies by several Swedish geographers and geologists. Pre-quaternary formations are mapped by N. H. Magnussen in *Karta över sveriges berggrund*. Some 80 different rock formations are identified.

A noteworthy addition to the growing number of State maps is the new *Geologic Map of North Carolina*. At the scale of 1:500,000, it was compiled under the direction of Jasper L. Stuckey, State Geologist, and published in 1958 by the North Carolina Department of Conservation and Development. There is an accompanying 51-page descriptive booklet, prepared by Mr. Stuckey and Stephen G. Conrad, which includes 80 bibliographic references.

Atlases are the most versatile and useful members of the cartographic family. General reference atlases fill a particular need in libraries, offices, and schools, as well as in many homes. It is a pleasure, therefore, to report publication of the final volume of the five-volume *London Times Atlas*.¹ Published by John Bartholomew and Son for the Geographical Institute of Edin-

¹For previous mention, see *QJCA*, XVI (August 1959), 180.

burgh, this monumental work is one of the foremost reference atlases ever published. The last volume, actually the second volume in the series, presents Southwest Asia and the Soviet Union. Like the other volumes, it includes a comprehensive index of names.

Atlas général Larousse is the latest in a long line of atlases published by Librairie Larousse of Paris. The volume, in a format which will fit on a large bookshelf, includes a number of informative and useful general and statistical maps, a number of pages of descriptive text, and an alphabetical index.

Apparently designed for home and school use is a medium-size Russian world atlas or *Atlas Mira*.² This edition was published at Moscow in 1959 by the Glavnoe Upravlenie Geodesii i Kartografii.

National atlases present a comprehensive physical, historical, and statistical picture of a single country or province. New accessions in this category include *Atlas do Brasil*, a 1959 publication of that country's Conselho Nacional de Geografia; Alexander H. McLintock's *A Descriptive Atlas of New Zealand*, published by New Zealand's Government Printer in 1959; and the *Atlas of Kenya*, compiled and published under the direction of R. J. Butler, Director of Surveys in Kenya (1959). All three are welcome additions to the growing list of single-country atlases.

"Specially designed to meet the needs of senior pupils and students attending the schools and colleges of Africa, and particularly those within countries and parts of Africa associated with the [British] Commonwealth," is *Philips' Modern College Atlas for Africa*. It was edited by Harold Fullard and was published in 1959 by Geo. Philip & Son, of London.

In the category of history is the *Atlas of the Classical World*, edited by A. A. M.

Van der Heyden and H. H. Sculland. It was published in 1959 by Thomas Nelson of London and is intended as a companion volume to that publisher's *Atlas of the Bible* (1956), and *Atlas of the Early Christian World* (1958). The new volume, like its predecessors, includes maps, illustrations, and text.

The *West Point Atlas of American Wars* is a two-volume work, compiled by the Department of Military Art and Engineering of the United States Military Academy. The editor is Col. Vincent J. Esposito and the publisher Frederick A. Praeger of New York. Volume one covers the period from 1689 to 1900, and volume two extends from 1900 to 1953.

A complete copy of *Richards' Atlas of New York State*, of which several preliminary sheets were noted as received last year, is among the new atlases acquired. It includes 50 colorful maps, both geographical and historical, supplemented by some 135,000 words of text. The atlas was edited by Robert J. Rayback of Syracuse University and contains contributions by geographic and historical specialists on the university's staff. It was published in 1959 by Frank E. Richards of Phoenix, N.Y. A supplementary volume, which will include colored maps of the separate counties of New York State, is in preparation.

These random selections from the map files and atlas shelves constitute but a few glistening drops from the stream of cartographic accessions which flows into the Map Division. They are indicative of the healthy state of the mapping profession and of the wealth of cartographic resources available to the scholar and to the layman.

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² See also *QJCA*, XIII (May 1956), 189.

Law

DURING the 12-month period from May 1, 1959, through April 30, 1960, the Law Library received 18,278 volumes and 6,043 pamphlets, a total of 24,321 pieces, for its permanent collections. By division the totals were:

<i>Division</i>	<i>Pieces</i>
American-British:	
American	10,686
British	2,561
European	7,201
Far Eastern.....	649
Hispanic	2,968
Near Eastern and North African.....	256

By source of acquisition, the totals were:

<i>Source</i>	<i>Pieces</i>
Purchase	11,944
Copyright deposit.....	2,498
Government Source.....	4,719
International Exchange.....	2,709
All other sources.....	2,451

In addition to the material added to the permanent collections, the Law Library received approximately 100,000 issues of legal periodicals and 3,614 pieces of records and briefs of the Supreme Court of the United States which will later be bound and added to the permanent collections, and 12,313 pieces of records and briefs of other Federal Courts which will be arranged and boxed. Approximately 450,000 sheets of looseleaf services were received and filed, and 13,129 pocket-parts, which will later be discarded, were recorded and filed in their parent volumes.

An outstanding manuscript acquisition was one containing the annotated Latin text of Justinian's *Institutes*, one of the

basic sources of Roman law. The codification of law undertaken under Emperor Justinian (483-565) resulted in four separate legal enactments adopted at different times: the *Institutes* and the *Digests*, enacted in 529, the *Codex* (second version) in 529, and the *Novellae constitutiones*, containing imperial acts issued subsequent to 529 and privately compiled.

The *Institutes*, a textbook on law to which Justinian attributed the force of a legislative act, are still used in the classroom in universities where Roman law is part of the curriculum. The four works were first copied separately by hand and after the introduction of printing still appeared separately until Denis Godefroy (Gothofredus) combined them under the coined title *Corpus juris civilis* in his 1585 edition. The margins of the *Institutes* in their medieval manuscript forms were filled by scholars with explanatory annotations called *glossae*. In the thirteenth century these annotations became somewhat standardized on the basis of the *glossa* of Accursius, which since then has been called *glossa ordinaria*. The entire medieval and Renaissance understanding of Roman law developed from these annotations to the sources of law. The manuscripts extant from the time before the invention of printing vary both in the text of the *Institutes* and the text of the *glossae*. A critical analysis of the text of the *Institutes* for the purpose of establishing the authentic wording was started by Johannes Chappuis in his Paris edition of 1503, and

was continued by others who established different versions. Among these were Gregorius Haloander (1529), Le Conte (1560), Cujas (1585), Hotoman (1588), Boehmer (1728), Schwarz (1731), and Biener (1812). At the time printing began, 50 different manuscripts of the *Institutes* were known to exist, but in 1933 Torelli listed more than 140 manuscripts. Any early manuscript of the *Institutes* is of distinct research value for the establishment of the original Justinian text.

The codex acquired last year by the Library, "Institutiones cum Glossa Francisci Accursii," is on vellum and is in its original wooden binding. According to Stephan Kuttner, the Library's Honorary Consultant on the History of Canon Law and Roman Law, it was written in the second half of the thirteenth century. Professor Kuttner writes: "The text of the *Institutes* and of the *glossa ordinaria* by Accursius surrounding it was written by several hands, with frequent corrections made by others. The text shows numerous deviations from the printed editions and is of interest for the study of the text of the *Institutes* known as its *vulgata* version in the thirteenth century, as well as for the study of the two versions of the Accursian gloss." The particular research value of the manuscript lies, according to Professor Kuttner, in its numerous additions to the *glossa ordinaria*. On the first two leaves, and later on, scattered throughout the volume, several hands of about 1300 A.D. entered a great many bits of additional commentary (glosses, *quaestiones*, *distinctiones*, etc.) which, as Professor Kuttner states, seem to represent the teaching of a post-Accursian law school in some Italian university other than Bologna, probably at Parma.

The fact that very little work has been done on the Italian schools after Accursius and before Bartolus, and that these entries in the manuscript give a great many clues

to the identity and affiliation of several authors of this period, enhances the value of this manuscript for research purposes.

Of particular interest is the Roman calendar given on three prefatory leaves of the manuscript, adapted to the Saints' days observed during the Middle Ages. This is the earliest such original calendar in the Library's collections. The manuscript itself represents the earliest text of the *Institutes* in the Library's possession and may well be the earliest available in any American library.

United States

As in years past, the greatest demands upon the facilities of the Law Library for reference and loan service have been concerned with American law. For this reason, it is necessary to maintain constant vigilance in keeping the collection of Federal and State legal material not only current, but also in sufficient supply of multiple sets to meet every demand. The most recent State session laws and reports, in addition to Federal legislation as well as reports of all Federal courts, including District courts, Courts of Appeal, and the Supreme Court, must be promptly obtained and processed for the shelves in order to satisfy the needs of Congressional offices and Committees and Government agencies. Likewise, decisions of administrative agencies, growing steadily in importance and number of opinions rendered, require special attention by reason of the fact that they are serviced for the greater part in looseleaf form. Looseleaf services received in the field of American law numbered about 200. They cover, in addition to court decisions, statutory law, administrative rules and regulations, and decisions of administrative tribunals. Their value lies in their currency, for the person using such services must have the very latest decisions, which are specialized and technical. Furthermore, the laws are being

constantly amended and new rules and regulations issued.

CITATORS

The importance of the citator to the practicing lawyer and legal researcher cannot be overemphasized. Under the common law system, which depends so greatly on the value of case precedent, the constant change of the authority of law by subsequent legislation and judicial interpretation makes it necessary that information regarding amended, repealed, revised, and superseded legislation be readily available. It also is important to know whether a case in point has been affirmed, reversed, or modified on appeal, and if a court in mentioning the case has criticized, distinguished, explained, followed, or questioned the decision. This is a service that has been rendered by Shepard's Citations, Inc., for more than 80 years.

For these reasons, the citator is a great time-saver for the lawyer and obviates reading an enormous number of cases to establish and support a good case. Several new citators have made their appearance and have been added to the collections. The first, *Shepard's Federal Labor Law Citations* (Colorado Springs, 1959), consists of three volumes: for cases, statutes, and cross references. This citator is an asset for research in the field of labor law, which has become one of the most important branches of law, judging from the number of cases that have arisen in the last 25 years. It enables the researcher to determine the value of decisions of the National Labor Relations Board by locating subsequent references to labor law opinions in the *Decisions and Orders of the National Labor Relations Board*, the *United States Supreme Court Reporter*, the *Federal Reporter*, the *Federal Supplement*, *Federal Rules Decisions*, and in State reports, the various reports of the National Reporter System, and reports

that are exclusively devoted to labor law, such as *American Labor Cases*, the *Labor Arbitration Reporter*, *Labor Cases*, the *Labor Relations Reference Manual*, and *Wage and Hour Cases*.

The effect that any decision of the National Labor Relations Board, the United States Supreme Court, or any lower Federal court has on a cited Board decision is indicated by symbols found in Shepard citators, showing whether a Board decision has been affirmed, reversed, dismissed, or modified on approval, or whether it has been overruled, criticized, questioned, or followed in later decisions of the Board or the Federal courts. Citations in various labor relations periodicals and law reviews are also shown in many cases and offer leads to specialized studies of certain aspects of the subject. Separate divisions of the volume dealing with cases show citations to labor decisions of the United States Supreme Court and lower Federal and State courts since the beginning of the National Labor Relations Board in 1935.

The volume covering statutes shows citations to various labor provisions in the *United States Code* and a cross reference table indicates where provisions of labor acts as known by popular names or short titles and corresponding provisions of the *United States Statutes at Large* are found in the *United States Code*. Lastly, the separate volume devoted exclusively to cross references indicates where decisions and orders of the National Labor Relations Board are also reported or digested in various labor law services.

With the attainment of statehood by two former territories, the Shepard company has compiled citators for assistance in legal research in case and statute citations for Alaska and Hawaii, the titles being *Shepard's Alaska Citations* (1959) and *Shepard's Hawaiian Citations* (1960).

These citators show every instance in which any case for the two jurisdictions has

been referred to by the courts in any case reported in those same reports or in any case reported in any of the three series of reports of the United States Supreme Court cases, Federal cases in lower courts, or *Federal Rules Decisions*. They also include statute citations, i.e. every instance in which the constitutions, codes, session laws, ordinances, and court rules of those States have been referred to by their courts or Federal reports, as well as citations in reports of Alaska and Hawaii to the United States Constitution, the *United States Code*, and the *Statutes at Large*.

TREATISE

One legal treatise that made its appearance during the year deserves special mention. It is the five-volume work by former Dean Roscoe Pound entitled *Jurisprudence* (St. Paul, 1959). This monumental work is the result of 70 years of study, 45 of which were also spent in teaching jurisprudence; a number of years were also devoted to service as a judge on the bench of a State Supreme Court. Dean Pound is so well-known to the legal world both here and abroad that it is hardly necessary to recite in detail the facts of his *curriculum vitae*. Suffice it to say that he served with distinction at Harvard University as Professor of Law and Dean of the Law School from 1910 to his retirement in 1946.

In the preface to *Jurisprudence*, Dean Pound discusses briefly the importance of jurisprudence or science of law, reminding us that in writing the book he had in mind the general lay reader, the judge, the legislator, the law teacher, and the student, all of which signifies that it is not a book so esoteric and scientific that it cannot be profitably read by anyone but the person with legal training. His object, he says, "is [to make clear] the difference between law and a law, that law is not a mere aggregate of rules of law nor the legal order a glorified system of policing." "I would show," he continues, "the importance of

both universal principles of local rules, of principles by which law is developed by reason applied to experience and then tested by further experience, and of rules of law to meet special local conditions, geographical, ethnic, economic, or historical which require adaptation of the administration of justice to local needs."

The table of contents testifies to the thoroughness and legal acumen displayed by Dean Pound in treating his subject. Volume I contains a discussion of what jurisprudence is and the end of law; volume II, the nature of law; volume III, the scope and subject matter of law, together with sources, forms, and modes of growth; volume IV, the application of force of law and the analysis of general juristic conceptions; and volume V, the system of law. The last volume also contains an index of over 130 pages. There is no doubt that this work of a lifetime of legal study and instruction by America's foremost legal scholar will take its place alongside the treatises of the last century of such legists as Austin, Bentham, Duguit, Holmes, von Jhering, and Kohler.

British Commonwealth of Nations

Of outstanding interest and importance was the acquisition of a two-part volume dealing with the trial of one of the more colorful crusaders for the rights of the English common people. The title of the 44-page first part reads:

The Triall of Mr. John Lilburn, Prisoner in Newgate, at the Sessions of Peace, held for the City of London, at Justice-Hall in the Old-Baily; sitting upon Wednesday, Thursday, Friday, and Saturday, the 13, 14, 15, and 16 of July, 1653. London, Printed in the year, 1653.

The title of the eight-page second part reads:

The Exceptions of John Lilburne Gent. Prisoner at the Barre, to a Bill of Indictment Preferred against him, grounded upon a pretended Act, intituled, An Act for the Execution of a Judgement given in Parliament against Lieuten-

ant Collonel John Lilburn: which Judgment is by the said Act supposed to be given the 15 day of January, 1651. London Printed for Richard Moon, at the Seven-stars in Pauls Church-yard, near the great North-door, 1653.

Lilburn (also spelled "Lilburne") was born in 1614 and acquired a reputation as a political agitator before and during the Interregnum. As leader of the political group called the "Levellers," a republican-democratic party active at that time, he waged a campaign by pamphlet and orally, demanding that real sovereignty be transferred to the House of Commons, advocating manhood suffrage to make the Commons truly representative, and urging extensive economic and legal reforms.

He was in and out of court during the greater part of his life because of his political activities and on two occasions was brought before committees of the House of Commons for publishing unlicensed publications attacking the Presbyterians and the House itself. There were numerous other times when his popularity with the populace and his advocacy of their rights resulted in his being acquitted of other charges which brought him before Parliament and the courts.

The occasion which brought about his trial and exile in 1653 was the result of a quarrel between his uncle, Sir George L. Lilburn, and one Arthur Hesilrige. In 1649 George Lilburn published a violent attack on Hesilrige, whom he accused of obstructing the payment of money due to Lilburn but granted to Hesilrige by parliamentary ordinance. This was caused by a dispute about the possession of certain collieries in Durham from which Lilburn had been ejected. After a committee of the Commons upheld Hesilrige's rights, John Lilburn intervened with a scurrilous attack upon Hesilrige and the committee in the form of a petition in which he termed them "unjust and unworthy men, fit to be spewed out of all human society

and deserving worse than to be hanged." As a result, the committee examined the case and found against John Lilburn. He was thereupon fined and sentenced to be banished for life. In the Netherlands, where he spent his exile, he became involved with the Royalists in a plot to overthrow Cromwell, whom he had supported in the early days of the Rebellion. Refused a pass to return to England, he entered the country without one and was arrested and tried. He contested every step of the proceedings against him in court with great persistence, and it was during the course of this trial that he insisted successfully on his right to study the charges against him. As a result it was possible for an accused person, for the first time in a British court of justice, to obtain for examination a copy of the indictment found against him. For this reason, the report of his trial is a landmark in English criminal law and procedure.

At the very outset of the trial, when the indictment was presented in court, Lilburn violently protested that he was of the opinion that issue could not be joined until he had been given a chance to read a copy of the indictment. This account is related on the first pages of the book in these words:

And the Indictment being read, Mr. Lee the Clerk of the Court demanded of him whether he was *Guilty, or not guilty*. But *Mr. Lilburn* the prisoner at the Bar applyed himself to the Court, and said, *My Lord chief Baron Wylde, I humbly desire, as my right by Law, to speak freely against the insufficiency and illegality of the Indictment, before I joyn issue to it*. Which being with a little struggling granted him, he said, *Well then, My Lord, now is the time, or never, for me to assign my Errors against the Indictment, before I plead to it: for if once I should plead to it, it will then be too late to assign the Errors: but if I do it before, then of right and justice, you ought to grant me a copy of my Indictment, and assign me learned Councel in the Law to consult with, and a convenient time to return in my answer unto the said In-*

THE
T R I A L L
OF
Mr. JOHN LILBURN,
Prisoner in Newgate,

AT THE
Sessions of Peace,
Held for the City of
LONDON,

AT
Justice-Hall in the Old-Baily; sitting
upon Wednesday, Thursday, Friday, and
Saturday, the 13, 14, 15, and 16 of
July, 1653.



London, Printed in the year, 1653.

THE
EXCEPTIONS
OF
John Lilburne Gent.

PRISONER at the BARRE,

TO A
Bill of Indictment

Preferred against him, grounded upon a
pretended Act, intituled,
*An Act for the Execution of a Judgement
given in Parliament against Lieutenant
Colonel John Lilburne:*

WHICH

Judgement is by the said Act supposed to
be given the 15 day of January, 1651.



London, Printed for Richard Meen, at the Seven-stars in
Pauls Church-yard, near the great North-door, 1653.



Portrait of John Lilburn behind bars, from the contemporary account (1653) of his trial.

dictment: all which (said the prisoner) is fully declared for good Law by Lord Cook¹ in his 3. Part Institutes, folio 29. 34. 137. 230¹ which book was published by two special Orders of the House of Commons in their virginity and purity in Anno 1641, and 1642 for good Law. The pregnant and pertinent passages of which places, were distinctly read by the prisoner at the Bar, and pressed with all earnestness and reason he possibly could, to enjoy the benefit thereof. And to the apprehension of the prisoner, and multitudes of the by-standers, the Court expressly ordered that he should have Counsel assigned, and the copy of the Indictment: but withal, he was ordered under his hand to send in his Exceptions: upon which the Prisoner was carried into the Garden on the backside of the Court, to draw them up; where having remained some space during the dining of the Court, he writ a Letter . . .

Despite the ruling of the judge, there was considerable dispute when later, on the reconvening of court, Lilburn tried to present his bill of exceptions. The clerk of the court, Mr. Lee, as well as Judge Wylde, insisted that Lilburn plead to the indictment, *i.e.* guilty or not guilty, the judge alleging that he was not impressed with the value of the opinion of Lord Coke in this case. Thereafter a heated argument ensued for four days in court. Lilburn finally triumphed, however, and the *Dictionary of National Biography* has this to say concerning the event:

Throughout the trial popular sympathy was on his side. Petitions on his behalf were presented to parliament, so strongly worded that the petitioners were committed to prison. Crowds flocked to see him tried; threats of a rescue were freely uttered; and tickets were circulated with the legend:

And what, shall then honest John Lilburne die?
Three-score thousand will know the reason why.

¹ Cook, or Coke as his name is usually spelled, establishes on these pages (published in 1644) that if a prisoner has any matter of law to plead he has a right to see a copy of the indictment as well as right to counsel for the framing of his plea.

Hispanic Law

For the Hispanic countries, very few rare items or early imprints were acquired during the year. Worthy of brief description is a three-volume photostatic copy of a sixteenth-century writing by Juan de Matienzo entitled "Gobierno del Peru, con todas las cosas pertenecientes a él y a su historia" (1780?). The author was an eminent jurist and statesman who was sent from Spain to the New World around 1560 as a judicial officer on the Audiencia de Charcas, which embraced in its jurisdiction all of the territory now occupied by Argentina and Bolivia and part of Peru. Prior to writing the present work, (presumably before 1573), Matienzo assisted the Viceroy of Peru, Francisco de Toledo, in the compilation of his famous ordinances, and the information gained thereby probably gave him a basis for his own work dealing with the civil and administrative organization of the colonial government in this viceregal jurisdiction, including provisions on the treatment of the native Indians directed toward the fusion of the two races and cultures, as well as aspects of fiscal and tax matters, desirable legal and judicial reforms, and similar matters.

It is interesting to trace the provenance of the manuscript from which this photostatic copy was made, on the basis of superscriptions and prefatory notes. Apparently the original manuscript was located in the library of Don Tomás Tamayo de Vargas, who in the early seventeenth century held the post of official chronicler or reporter to the King of Spain and the Indies. A manuscript copy, made from the original in 1780, was subsequently acquired by the nineteenth-century historian of colonial history and Indian culture in South America, Adolph Francis Alphonse Bandelier. The photostat acquired by the Library was made from this manuscript.

Also worthy of mention is a folio volume of the *Ordenanzas del Peru* (Lima, 1752).

These royal ordinances and decrees of the King of Spain, as locally applied and modified, were first compiled and arranged in 1685 by Tomás de Ballesteros, who was the official reporter to the Viceroy of Peru, Melchor Navarra y Rocafull, whose name as patron appears on this work. Much of the contents may also be found in the basic and much more comprehensive compilation of this nature which was first published in 1680 as *Recopilación de las leyes de los reynos de las Indias*, or, as more popularly known, the *Laws of the Indies*. The edition of Ballesteros' collection acquired by the Library was published nearly 70 years after its first appearance, so that additional regulations and ordinances were inserted, chiefly concerning the establishment of the Tribunal de la Santa Cruzada by order of the Viceroy of Peru, Don José Antonio Manso de Velasco, Condé de la Super-Unda.

Two items from Portugal may also be of interest. The first is a copy of the third edition of a collection of opinions and decisions of a sixteenth-century jurist, Don Antonio de Sousa de Macedo, entitled *Decisiones Supremi Senatus Justitiae Lusitaniae* (Ulyssipone, 1699). The author was a Counselor to the King of Portugal and later Supreme Counsel in Fiscal Matters. Other works by him were published in London, the Netherlands, and Spain as well as in his own country.

The second item is the text of an interesting law, *Ley sobre casamentos com as Indias*, dated April 4, 1755, which has not been in the compilations of laws covering that period. Its interest lies not only in its objective of liberalizing past restrictions against intermarriages of Portuguese men with the native Indians of Brazil, but also in the special privileges granted in order to attain such objectives, i.e., giving preference to such persons in obtaining titles to land or holding of office, and in permitting

unlimited succession rights to offspring of such mixed marriages.

Within the past two or three years of relative peace and progress in the Hispanic countries a number of new serials and periodicals have made their appearance, of which a few may be mentioned. In the latter part of 1958 the bar association of La Plata in Argentina brought out the first issue of its new *Revista del Colegio de Abogados de La Plata* (Año 1, No. 1, July/December, 1958). In Córdoba, Argentina, another legal organization also commenced printing its *Anales de la Academia Nacional de Derecho y Ciencias Sociales de Córdoba* (Año 1, 1958) on an annual basis. This issue contains a number of very interesting articles by well-known jurists, while the first part of it partakes of an annual report to the membership. A third Argentine periodical is *Revista del Instituto de Derecho Público y Ciencias Sociales*, of the Universidad Nacional del Litoral in Rosario. This journal replaces its former *Anuario* and will now appear twice a year (Semestre 2, No. 1, 1958). The contents are not limited either to Argentina or to any specific branches of law or economics, but range over a wide variety of topics in the two fields generally.

In Bolivia, the latter part of 1957 saw the initiation of *Revista de ciencias jurídicas, políticas y sociales* (Año 1, No. 1, October, 1957) superseding the former organ of the law school of the Universidad Técnica de Oruro, the title of which varied only as to one word, *Revista de estudios jurídicos, políticos, y sociales*, but the contents of which are now placed on a more professional and scientific level. A second Bolivian periodical is the organ of a bar association entitled *Boletín del Círculo de Abogados de Santa Cruz de la Sierra* (Año 1, No. 1, 1958).

Although interest in the field of international law is widespread in the American republics, there has been a dearth of pe-

riodical publications devoted to it. The Cuban journal created 30 or more years ago by the eminent internationalist and statesman, Antonio Sánchez de Bustamante, has ceased publication since the commencement of the Fidel Castro régime, although for years after his death the quality and size of the publication had decreased steadily. The Peruvian journal of international law, *Revista Peruana de derecho internacional*, is still flourishing and in the past 18 months a newcomer in this field has made its appearance in Quito, Ecuador, under the editorship of its best-known internationalist, Angel Modesto Paredes. The March 1959 issue of *Revista del Instituto Ecuatoriano de Derecho Internacional* ran the gamut of topics in international law from the short-lived Central American Court of Justice of 1907 to the very modern topic of astronautics as a new aspect of democracy.

The Institute of Comparative Law at Tulane University Law School has in the past year attempted to answer a need for a United States periodical publication on Latin American law. The *Inter-American Law Review* (January-June, 1959) contains articles and notes in both the Spanish and English languages, and occasionally in Portuguese, which are contributed both from the United States and abroad.

From the Philippines the Library has obtained issues of two new journals. *Vital Documents* (Vol. 1, No. 1, September, 1959) is edited by the Far East Educational Center and describes itself as "impartial, authentic and useful." Its first issue covers a variety of matters, giving not only the text of laws, bills, or other documents, but opinions and comments thereon, and for purposes of catching the reader's interest or for quick reference has inserted a box in each item containing highlights of articles, facts, legislative history, or other matters. The second is an organ of the Law School

of the relatively new University of the East in Manila. It is entitled *UE Law Journal* (Vol. 1, No. 1, October, 1958), and follows the usual format of the law school journals with leading articles by known authorities, judges, and foreign authors, notes by law students on recent decisions and legislation, and a section on bar examinations or law school topics of special interest to the student. The quality of the contents of the first three quarterly issues appears to be high, and they cover topics of both national and international interest.

Two new serials carrying collections of the texts of laws and decrees were begun during 1959 in Argentina and Cuba. The Ministry of Labor and Social Security of the Argentine Government is now issuing a semiannual *Boletín de legislación* (Año 1, Nos. 1-6, January-June, 1959), devoted to legislative and administrative enactments within its own discipline. In Cuba, immediately upon the advent of the "revolutionary regime" instituted by Fidel Castro, a monthly series of bulletins commenced publication under the running title of *Folleto de divulgación legislativa*, most of which carry the subtitle *Leyes del Gobierno Provisional de la Revolución*. In most cases some of the small volumes containing matters of outstanding interest to the people, such as the Agrarian Reform Law, the new constitution, or Fundamental Law of the Republic, and similar matters, have already been issued in two or three editions each.

Bulgaria ²

SURVEY OF LEGISLATION

The Third National Assembly held its third, fourth, and fifth regular sessions on February 1 and November 1, 1959, and February 1, 1960, as well as its third and

² Unless otherwise stated, publications mentioned in this section were issued in Sofia.

fourth extraordinary session on July 3 and December 24, 1959.

Among the important enactments passed by the legislature are the Law on the Reorganization of the State and Economic Administration, the Law on the Government Economic Plan for 1959, the Law on the Budget for 1959 (all three of March 17, 1959), the Law to Bring the School Closer to Life (July 7, 1959), the Law Authorizing Trade Unions to Administer Social Security, and the Law on the Chief Government Attorney's Office (February 5, 1960). In addition, the National Assembly amended the Law on the Election of People's Councils and other electoral laws (February 3, 1959), the Law on People's Councils, the Criminal Code (March 17, 1959), the Law on the Organization of the Courts (March 17, 1959, and February 5, 1960), the Laws on Local Taxes and State Fees (November 6, 1959), the Code of Criminal Procedure, and the Law on Turnover Taxation (February 5, 1960).

On April 5, 1959, elections were held for district, precinct, and village community people's councils.

As a result of the reorganization of the government and economic apparatus, the number of members of the Council of Ministers was drastically reduced.

On March 14, 1959, the National Assembly elected a Commission, consisting of a chairman and 33 members, to prepare a draft for amending the Constitution of December 6, 1947, which is to be introduced in one of the next sessions of the Assembly. According to its Article 99, the Constitution may be amended, as can any other legislative act, by a law passed by a two-thirds majority of all the deputies. Up to the present, no such constitutional amendment has been passed.

During the period covered by this report the Presidium of the National Assembly introduced a new administrative-territorial division of the country (January 23, 1959)

and amended the edicts on the people's police, on naming and renaming objects of national and local importance (June 16, 1959), and on regulating certain rights of persons graduating from military schools in Bulgaria or in the Soviet Union (July 21, 1959). It also amended the laws on renting (June 5, 1959), on military service (June 30 and July 21, 1959), on pensions of members of agricultural cooperatives, on inventions (August 11, 1959), on motion picture theatres (August 14, 1959), on mines and stone quarries (August 25, 1959), and on local taxes and fees (July 17, 1959).

Among the acts issued by the Council of Ministers, the following deserve mention: those concerning uninterrupted work in shifts during all days of the week (December 28, 1958), voluntary physical work in production by clerical employees (December 23, 1958), settlement of questions relating to the gypsy population in Bulgaria (December 30, 1958), fulfillment of the Third Five-Year Economic Plan in shorter terms (January 13, 1959), abolition of compulsory government deliveries (May 1, 1959), reorganization of automobile transportation (June 30, 1959), creation of higher military schools (July 21, 1959), and improvement of the system of labor remuneration (January 1, 1960).

The Cabinet also approved the regulations and ordinances concerning children's schoolrooms, labor-educational schools (December 5, 1958), the civil status registry (January 5, 1960), domestic commerce (August 14, 1959), handicrafts exercised by private persons (August 28, 1959), preservation of cultural monuments (November 4, 1959), price fixing (August 11, 1959), and placement of young specialists who have completed their studies in the country or abroad (September 22, 1959). In addition, it approved measures on the organization and functions of the Committee on Labor and Prices (June 12, 1959),

the Committee on Industrial and Technical Progress (August 7, 1959), the Committee on Construction and Architecture (August 25, 1959), the Ministry of Finance (September 1, 1959), and the Ministry of Health and Social Welfare (September 1, 1959).

Together with the Central Committee of the Bulgarian Communist Party, the Cabinet issued a joint resolution concerning the development of Bulgarian science and the increase of its role in the building up of socialism (November 17, 1959).

In the field of international relations, Bulgaria became a party to several international treaties and agreements. According to the official law gazette, *Izvestiia*, bilateral conventions were concluded covering the following matters: with the German Democratic Republic, on cultural and scientific cooperation (signed April 18, 1958, in Berlin, and the text published on January 22, 1959), on commerce and navigation (signed July 16, 1959, in Varna), on legal assistance in civil, family, and criminal cases (signed January 27, 1958, in Sofia and the text published on April 3, 1959), and on cooperation in the field of social policy (signed February 20, 1958, in Berlin and the text published on April 10, 1959); with Rumania, on legal assistance in civil, family, and criminal cases (signed December 3, 1958, in Sofia), on consular affairs (signed April 23, 1959, in Bucharest), and on settlement of the citizenship of persons with dual nationality (signed September 24, 1959, in Sofia); with Czechoslovakia, on consular affairs (signed May 27, 1959, in Prague), and on cooperation in the field of health protection (signed September 19, 1959, in Sofia and the text published on January 22, 1960); with the People's Democratic Republic of Korea, on veterinary-sanitary matters and on plant protection and quarantine (both agreements signed October 13, 1958, in Pyongyang and the texts published on October 27, 1959);

with Denmark, on the settlement of financial matters (signed May 26, 1959, in Sofia); with Yugoslavia, on water-economy problems (signed April 4, 1958, in Sofia), and on sanitary-prophylactic and anti-epidemic measures along border zones (signed November 18, 1959, in Belgrade); with Hungary, on settlement of the citizenship of persons with dual nationality, and on consular offices (both agreements signed June 27, 1958, in Sofia and the texts published on October 9, 1959); with Iraq, on cultural cooperation (signed April 8, 1959, in Bagdad); with the Soviet Union, on social security (signed December 11, 1959, in Sofia); and with Greece, on the control, maintenance, and restoration of the boundary line (signed September 4, 1957, in Sofia and the text published on January 19, 1960).

In regard to multilateral treaties, Bulgaria on February 20, 1959, ratified the conventions adopted by the XIV Congress of the Universal Postal Union; on March 6, 1959, the international conventions on labor; on January 5, 1960, the protocol to the convention for sanitary-prophylactic and anti-epidemic measures in zones along the borders, and the protocol amending the convention on protection from, and fight against, contagious diseases, including malaria, with Greece and Yugoslavia (both signed November 18, 1959, in Belgrade); on February 27, 1959, the agreement concerning fishing in the waters of the Danube with the Soviet Union and Yugoslavia (signed January 29, 1958, in Bucharest); on April 28, 1959, the Customs Convention for the Temporary Import of Private Transportation Vehicles as well as the Convention on Customs Facilitation in Favor of Tourism (both concluded June 4, 1954, in New York); on September 29, 1959, the Customs Convention on Containers (concluded May 16, 1956, in Geneva); and on January 6, 1960, the Convention for the Creation of an In-

terparliamentary Maritime Advisory Organization (adopted March 6, 1948, in Geneva).

STATUTES

The official law gazette, *Izvestiia na Prezidiuma na Narodnoto Sŭbranie*, which is the primary source of statutory law, and the official monthly collection of decrees and resolutions issued by the Council of Ministers, entitled *Sbornik postanovleniia i razporezhdanii na Ministerskiiia Sŭvet*, continued to arrive without interruption. The *Sbornik*, irrespective of its title, began to print every act made public in *Izvestiia*, thus becoming a second official law gazette.

Turkish rule over Bulgarian lands was terminated by the Russo-Turkish War of 1877-78. The Treaty of Berlin (July 13, 1878) established a Bulgarian principality, which was governed during the first years of its existence by provisional regulations for the organization of the administration of justice approved by the Imperial Russian Commissar, Prince A. M. Dondukov-Korsakov, on August 24, 1878. The Library received the Russian edition of these regulations, *Vremennyya pravila dlia ustroistva sudebnoi chasti v Bolgarii* (Odessa, 1878). The Bulgarian translation, published in the same year in the city of Plovdiv, also is in the possession of the Library.

During the first years of the formation of modern Bulgaria the state stamp fees were regulated by an act which the Imperial Russian Commissar approved on June 9, 1879. There was received the text of this act, made public in both Russian and Bulgarian, and entitled respectively *Vremennoe polozhenie o gerbovom v Bolgarskom kniazhestvie* and *Vremenni pravila za gerboviiia sbor v Bŭlgarskoto Kniazhestvo* (1879).

An annotated collection of legislative acts covering the field of public education in force prior to World War II, the work of

Doncho Slavchev and Asen Markov, is *Prosvetno zakonodatelstvo; sbornik ot zakoni, naredbi i pravilnitsi, koito sŭ v sila po Ministerstvoto na narodnoto prosveshtenie s belezhki po tekhnoto prilagane* (1940).

Milcho Kostov was the compiler of a collection embracing, in full or in excerpts, all legislative enactments dealing with finance in Bulgaria under the People's Democratic Regime. It is entitled *Sbornik finansovi zakoni* (1958).

The Standard Charter of a Collective Farm of 1950, which underwent several amendments, was published in separate booklet form in its last version of February 17, 1958, under the title *Primeren ustav na trudovo-kooperativno zemedelsko stopanstvo* (1958).

Dimitŭr Dimitrov edited a collection of laws, edicts, resolutions, regulations, and ordinances applicable to automobile transportation, effective on September 1, 1958. The title is *Automobilen transport (zakoni, ukazi, postanovleniia, pravilnitsi, naredbi i dr.)* (1958).

PERIODICALS

The only two legal periodicals in present-day Bulgaria, *Sotsialistichsko pravo* (Socialist Law), since 1952 an official organ of the Ministry of Justice, the Chief Government Attorney's Office, and the Supreme Court, and the bimonthly magazine, *Pravna misŭl* (Legal Thought), published since 1957 under the auspices of the Institute of Legal Sciences, continue to arrive regularly. Since 1959, the issues of *Sotsialistichsko pravo* have borne the month of their appearance. In July and August, however, the review does not appear.

In addition to these, the Library has received the legal series of the Bulletin of the Institute of Legal Sciences of the Bulgarian Academy of Sciences, *Bŭlgarska Akademiia na Naukite, Izvestiia na Instituta za Pravni Nauki*.

TREATISES

The Institute of Legal Sciences of the Bulgarian Academy of Sciences published a collection of four extensive studies by the leading Bulgarian writers P. Stainov, L. Vasilev, A. S. Angelov, and B. Spasov, on various aspects of constitutional law. It is entitled *Pravni problemi na Konstitutsiata na NR Bŭlgariia* (1958). On the eve of the fifteenth anniversary of the seizure of power by the present government, the same institute published, under the editorship of Lieuben Vasilev, a symposium of eight works dealing with constitutional law problems entitled *Vŭprosi na narodnodemokraticeskoto pravo na NR Bŭlgariia prez izteklite petnadeset godini* (1959). V. Bozhinov and B. Spasov are the authors of a textbook on the Bulgarian Constitution of 1947 as prescribed for students of the eleventh grade in the secondary schools, entitled *Konstitutsiia na NR Bŭlgariia, uchebnik za XI kl. na obshtoobrazovatelnite uchilishta* (1958).

P. Stainov, A. S. Angelov, and B. Spasov discuss terminology applicable to legislative and executive acts as used today in Bulgaria, their relationship within the legal order, and their significance and functions as legal rules, in *Naimenovaniia i upotreba na aktovete na dŭrzhavno upravlenie v NR Bŭlgariia* (1957).

In the field of criminal law and procedure, a number of comprehensive treatises deserve special mention. The first is a monographic study by Konstantin N. Liutov of professional negligence as presented in the Bulgarian Criminal Code, entitled *Profesionalna nepredpazlivost v nakazatelnoto pravo na NR Bŭlgariia* (1958). Kiril Georgiev deals with crimes against public order as defined in Sections 271-306 of the Criminal Code of 1951, in *Prestŭpleniia protiv obshtestveniiia red* (1958). The rights of a defendant throughout the criminal procedure of present-day Bulgaria,

from preliminary investigation to the revision of judgment, which is a manner of supervision exercised by the public prosecutor, are the subject of Nikola A. Manchev's *Obviniaemiiat v nakazatelniia protses* (1958).

Angel S. Angelov wrote an extensive study on the general supervisory powers of the Attorney General in connection with the realization of the so-called "socialist legality," *Obsht nadzor na prokuraturata v NR Bŭlgariia* (1958).

The first attempt to present a systematic course of judicial statistics in Bulgaria based on "dialectical and historical materialism" as well as on the "requirements of progressive statistical science" was made by Anastas Iurdanov Totev in his *Sŭdebna praktika* (1958). This work was prepared for use as a textbook for law students.

Dimitur Iv. Konstantinov is the author of a valuable work dealing with the civil status of citizens in Bulgaria today, entitled *Grazhdansko sŭstoianie* (1958). Although the term "civil status," as a rule, covers only records of birth, marriage, and death, the author also includes in his discussion other related topics such as names, residence, legal capacity, capacity to enter into legal transactions, guardianship, and the like.

In the field of labor law, an extensive monographic study was made by Velemir Georgiev and Khristo Terziev to cover the entire legislation on pensions of manual workers and clerical employees. It is entitled *Pensionirane na rabotnitsite i sluzhitelite* (1958).

Vladimir Kutikov's *Mezhdunarodno chastno pravo na Narodna Republika Bŭlgariia* of 1955, which is the first publication on private international law since the establishment of the government in power and the introduction of a legal system after the Soviet pattern, was revised and supplemented in 1958. The present work includes an extensive bibliography.

COURT DECISIONS

The Library has received the official collection of directive rulings and decisions issued by both the civil and criminal divisions of the Supreme Court during the year 1958, *Súdebná praktika na Vŕrkhovniia súd na NR Bŭlgariia, grazhdanski and/or nakazatelni otdeleniia* (1959).

The institution of government arbitration was introduced in Bulgaria in 1950 to settle property disputes between economic organizations of the socialist sector of the national economy. Government arbitration, according to the prevailing opinion of Bulgarian legal writers of today, is an agency of its own kind, possessing powers inherent in agencies of economic administration and in a judicial body. For the first time decisions of the Government Arbitration Board, issued during 1952-1957, were collected and systematized by Anna Pasi-Mevorakh, Anna Variklechkova-Topukova, both arbiters of the Board, and Ventseslav Grebenarov, a jurist, in *Iz praktikata na dŭrzhavniia arbitrazh* (1958).

BIBLIOGRAPHY

Legal Sources and Bibliography of Bulgaria (New York, 1956), which was prepared by Ivan Sipkov under the editorship of Vladimir Gsovski, is the only legal bibliography of Bulgarian law in either Bulgarian or English. The bibliography proper is introduced by a general survey of the political and legal development of the Bulgarian State from its formation in the second half of the seventh century to the present. It presents selective lists covering standard books and articles published in Bulgarian, English, French, German, and Russian. The book concludes with a list of the principal laws and decrees in force issued between September 9, 1944, and January 1, 1956. The reader is further aided by an author, title (for works published without author), and subject index.

Czechoslovakia³

The official collection of laws, both in the Czech edition, *Sbírka zákonů*, and in the Slovak edition, *Zbierka zákonov*, as well as the official gazettes, *Úřední list* and *Úradný vestník*, have been received regularly. The Library has not, however, received some of the 1959 issues of the official collection of laws of the Slovak National Council, *Zbierka zákonov Slovenskej národnej rady*, which was discontinued on December 31, 1959. Since then the legislation of the Slovak National Council has been published in *Sbírka zákonů*.

The 1959 legislation of the Czechoslovak Republic is marked by changes of previous laws. Of the 82 laws and decrees published in the official collection, 21, or one-fourth, are concerned with such changes. An outstanding feature of some of these amendments is that they state openly that their aim is to pave the way for the communization of Czechoslovakia. Of the 82 enactments, there are 29 laws passed by the National Assembly, and 32 decrees issued by the Cabinet and individual ministers. The rest consist of proclamations on international agreements.

Several important developments resulted from laws enacted in 1959: a State Committee for the Development of Technology was established; a Housing Development on a Cooperative Basis was decreed; the composition of the State Planning Commission was changed; an increase of agricultural land for cultivation was prescribed; a new Law on Uniform Agricultural Cooperatives replaced the Law of 1949; the Agricultural Land Tax and the purchase of agricultural products were regulated. In addition, several laws dealt with education and contained regulations for libraries, museums, and galleries; several regulated

³ Unless otherwise stated, publications mentioned in this section were issued in Prague.

the local economy; and a law established a new device for the collectivization of private houses.

Volume XI of *Sbírka rozhodnutí československých soudů* (Collection of Decisions of Czechoslovak Courts), was reduced to six issues as compared with the 10 issues of volume X (1958). All the issues were received. This collection, published by the Supreme Court, includes selected decisions on the following topics of law: master and servant, conscript labor, shop workers' councils, claims against foreign social insurance institutions, housing, janitors, domestic relations, duties and salaries of civil servants, and the Civil Code.

The legal periodicals *Právník*, *Právní obzor*, *Socialistická zákonnost* and *Právnícké studie* were received regularly, as was *Soudce z lidu*, which is dedicated to the instruction of people's judges who lack a legal background. In addition, annual volumes for 1958 and 1959 of the serial *Právněhistorické studie*, concerned with the history of the state and the law, and *Studie z mezinárodního práva*, containing studies in international law (volume IV, 1958), were acquired. One volume (V, 1959) of *Stát a právo*, published by the Czechoslovak Academy of Sciences, was also received.

Among the most comprehensive treatises received, two are worth mentioning: *Kooperácia a špecializácia . . . z hľadiska občianskoprávnej zodpovednosti* (Bratislava, 1958), by Ján Spišiak, which deals with the cooperation and specialization of national enterprises and other socialist economic organizations from the viewpoint of responsibility under socialist civil law, and *Trestní řád a předpisy související* (1958), an annotated edition of the Code of Criminal Procedure and related legislation, prepared by members of the Law Institute of the Ministry of Justice.

EARLY LAW BOOKS

Copies of *Der Röm: Kays: . . . Ferdinandi . . . uber der neuen Landts-Ordnung des Königreichs Böhaimb* in its Vienna, 1640, and Prague, 1753, editions have been acquired. These deal with the turning-point in Czech political and legal history. The highest point of Czech autonomy within the Holy Roman Empire and of the use of Czech as the official language was reached with the so-called Codes of Laws of the Land of Bohemia and Moravia. An opposite trend toward centralization and Germanization began after the defeat of the Bohemian gentry in 1620 at White Mountain.⁴ A new revised code, *Obnovené právo a řízení zemské*, was enacted in 1627 and amended in 1640 by the king himself. Instead of being elective, the Czech throne became hereditary in the Hapsburg family, the composition of the Diet was changed, and the making of laws and granting of rights of residence were reserved to the king. Sentences were to be rendered in the name of the king, the supremacy of the land court was abolished, and its proceedings became secret. Finally, the German language was given an official status which led to a complete Germanization of public life. The above items contain the first amended edition in German and a later one of the revised Code of Laws of the Kingdom of Bohemia.

LEGAL BIBLIOGRAPHIES

The last year was marked by the appearance of two comprehensive legal bibliographies, the first to appear since the inception of the State of Czechoslovakia. One of them, *Bibliography of Czechoslovak Legal Literature, 1945-1958*, was compiled under the auspices of the Czechoslovak Academy of Sciences, Institute of Law, and was published in 1959 with the aid of UNESCO. The other, *Legal Sources and*

⁴ See *QJCA*, IX (November 1952), 14.

Bibliography of Czechoslovakia, by A. Bohmer, J. Jira, S. Kocvara, and J. Nosek, under the general editorship of V. Gsovski, was published in 1959 for the Free Europe Committee, Inc., by F. A. Praeger of New York.

The bibliographies differ on many points. In the first place, the scope of *Legal Sources* is much broader than that of its Prague counterpart. It also covers a much longer period of time, namely the period beginning with the Kingdom of Bohemia, from the sixteenth to the eighteenth century, through the birth of Czechoslovakia between the two world wars, and into the present regime. In contrast, the *Bibliography* covers only the years from 1945 to 1958, in other words, only the "Peoples' Democratic" and the Communist era. Secondly, *Legal Sources* lists not only jurisprudential writings but also official publications, and it contains an index of contemporary laws. The *Bibliography* is confined to legal writings alone; it covers, to a great extent, articles in legal periodicals and includes many non-legal publications; and its main emphasis is on writings published in 1957 and 1958, while *Legal Sources* was made ready for the printer in 1957 and these years were not covered. The *Bibliography* is arranged by subject, and each division is prefaced by an article on the subject from the point-of-view of the present government. In that sense, it is propaganda for the new law. The *Bibliography* has no index, which makes it extremely difficult to use; *Legal Sources* has three extensive indexes, for title, author, and subject.

Hungary⁵

LEGISLATION

The most important law enacted in 1959 was the Civil Code of the Hungarian People's Republic (No. IV of 1959), which is

⁵ Unless otherwise stated, publications mentioned in this section were issued in Budapest.

the first Hungarian civil code ever enacted. Although it did not go into force until May 1, 1960, references to it appeared earlier in court decisions.

Only four other laws were enacted during 1959. Two of them deal with the budget (No. I of 1959) and with the report of the Government on the execution of the 1958 budget (No. III of 1959). An unusual event is the enactment by the Parliament of an international treaty, because under the 1949 Constitution international agreements are, as a rule, only to be promulgated by an edict of the Presidium. Hence the enactment of the Hungarian-Chinese Treaty of Friendship and Cooperation (No. V of 1959) seems to stress the significance of that treaty in the eyes of both governments.

The Presidium issued 43 edicts in 1959, which cover a great variety of subjects. Some of them deserve attention because they indicate a trend toward more complete totalitarianism. The regulation of the medical profession (Edict No. 8 of 1959) abolished the last independent profession and compelled physicians to enter government service. The new regulation on government attorneys (No. 9 of 1959) extended the supervisory jurisdiction of prosecutors to every phase of political, social, or administrative activity in the country. The criminal rules of the press law (No. 17 of 1959) increased the penalties for such crimes as publication of any printed matter without government permission, or distribution of such printed material.

The international agreements promulgated in 1959 by the Presidium fitted into the network of agreements among the satellite governments. Out of 16 agreements, only one was concluded with a non-Communist government: the agreement on the regulation of the water supply in the joint border territory concluded with the Government of the Austrian Republic (No. 32 of 1959).

The following agreements were concluded with the Communist governments and were promulgated: with Bulgaria, an agreement on dual nationality (No. 27 of 1959) and a consular agreement (No. 28 of 1959); with Czechoslovakia, agreements on veterinarian cooperation (No. 3 of 1959) and on cooperation in social security matters (No. 41 of 1959), as well as a consular agreement (No. 42 of 1959); with the German Democratic Republic, an agreement on the prevention of plant diseases (No. 1 of 1959); with Yugoslavia, agreements on the prevention of contagious diseases (No. 2 of 1959), on veterinarian cooperation (No. 4 of 1959), and on cooperation in social security matters (No. 20 of 1959); with Poland, agreements on cooperation in public health matters (No. 13 of 1959) and in social security matters (No. 38 of 1959), and a consular agreement (No. 40 of 1959); and with Rumania, a treaty on judicial assistance in civil, domestic relations, and criminal cases (No. 19 of 1959), and a consular agreement (No. 37 of 1959).

PERIODICALS

The Library's collection was increased by two new Hungarian law periodicals published in foreign languages. The Institute of Legal and Political Science of the Hungarian Academy of Sciences started *Acta Juridica*, in which articles are printed in English, French, German, and Russian.

The Hungarian Lawyers' Association resumed the publication of *Revue de droit hongrois*, which was discontinued after the uprising of 1956.

In addition to these, the official gazette, *Magyar közlöny*, the official court reporter, *Bíróági határozatok*, and the two law periodicals in the Hungarian language, *Jogtudományi közlöny* and *Magyar jog*, continued to arrive regularly.

TREATISES

Jogi tanulmányok Dr. Buza László . . . oktatói működésének 50. évfordulójára (Szeged, 1958) is a symposium to honor László Buza, professor at the University Law School in Szeged, on the occasion of the fiftieth anniversary of his educational activities. It contains 15 short treatises by well-known Hungarian legal writers on various subjects. The articles are mostly in Hungarian, with French and Russian summaries, but there are also articles written in English, French, German, and Italian.

Another commemorative book was published by the Institute of Legal and Political Science of the Hungarian Academy of Sciences under the title *A Magyar Tanácsköztársaság jogalkotása* (1959). This collection of laws and decrees, issued in 1919 by the short-lived Hungarian Soviet Republic, was to commemorate the fortieth anniversary of the proclamation of the first Communist regime in Hungary, which lasted for 133 days.

A törvényesség őrhelyén (1958), by Géza Szénási, Attorney General, is a popular description of the duties and actual work of government attorneys.

A törvényességi óvások gyakorlata (1958) is a collection of court decisions rendered pursuant to legality protests, a legal remedy completely unknown outside the Soviet orbit. The legality protest is a measure in the interest of "socialist legality" which is available to the President of the Supreme Court and to the Chief Government Attorney in civil and criminal cases against any sentence and judgment, regardless of whether or not they have become final. The collection was compiled by a group of judges and government attorneys and contains the most important decisions of the Supreme Court of Hungary in civil as well as in criminal cases.

Devizajog (1959), by Iván Meznerics and others, is a comprehensive treatise on

foreign currency regulations which also contains the texts of the relevant statutes.

Házassági vagyonjog (1959), by Viktor Szigligeti, is a presentation of existing marital property law. It comments not only on the law but also on the practice of the courts.

Nationality laws have been amended several times since the end of World War II. The law now in force was adopted in 1957. *Az állampolgárságról szóló törvény* (1958), by Károly Besnyő and Lajos Nagy, gives the consolidated text of this law and its implementing decrees with comments.

In recent years the real property law has been rather neglected by Hungarian legal writers. Now it seems that the enactment of the Civil Code has stimulated the publication of several works which deal with pertinent questions. *A kisajátítási jog* (1959), by Gábor Görgényi and Imre Ács, deals with eminent domain in theory as well as in practice.

A föld tulajdonjoga a magyar mezőgazdasági termelőségvetkezetben (1958), by Imre Seres, is the first major work published in Hungary on the ownership of land in the agricultural cooperatives.

The statutes concerning agricultural lands have undergone a considerable change during recent years. The present situation is explained in *A mezőgazdasági rendeltetésű földekre vonatkozó hatályos jogszabályok magyarázata* (1959), by Béla Kemenes and others.

The International Court and its decisions never enjoyed any great degree of popularity among Hungarian legal writers. Hence it is significant that a really comprehensive treatise on the judicial practice of the International Court was published. *A nemzetközi bíróság joggyakorlata, 1946–1956* (1958), by György Haraszti, examines all the decisions of the court from the Communist point of view.

Nemzetközi szerződések gyűjteménye, 1945–1958 (1958), edited and translated

by Gyula Hajdu and others, is a collection of the most important international treaties in Hungarian translation.

EARLY LAW BOOKS

The most valuable addition to the collection of early Hungarian law books was *Corpus juris Hungarici, seu decretum generale incltyti regni Hungariae* (Tyrnavia, 1751).

This work is the first edition of the *Corpus juris Hungarici*, which is regarded as the official edition. The few earlier editions were private collections of laws. In 1743 Queen Maria Theresa granted the exclusive right to publish *Corpus juris Hungarici* to the Jesuit Order. The privilege was transferred to the University of Nagyszombat [Tyrnavia] when the Jesuit Order was banned in Hungary and Austria.

Under this privilege János Szegedy rearranged the collection, the first part of which was István Werbőczy's *Tripartitum*. He divided the laws for the first time into articles and sections, making citations simpler.

The number of appendixes was also increased. These appendixes include procedural rules, as well as the best and most authentic commentaries on the laws. An index of the laws and a list of Hungarian kings, archbishops of Esztergom, and palatines were also added.

The imprint of the work indicates the year 1751 as the time of publication. The best-known bibliographies mention the same year. There still is some doubt whether this year indicates the time of the beginning of the work rather than the actual publication, because after the index of laws and persons, two additional laws enacted by the diets held in 1751 and 1764–65 were included (on consecutive pagination). Strangely enough, not one of the bibliographies mentions this fact.

An additional merit of this work lies in

OPUS TRIPARTITUM,
JURIS CONSUETUDINARII
INCLYTI REGNI HUNGARIÆ,
PARTIUMQUE EIDEM ANNEXARUM,



Authore STEPHANO DE WERBÓCZ, &c.

SERENISSIMO PRINCIPI ET DOMINO,
DOMINO WLADISLAO,
DEI GRATIA
REGI HUNGARIÆ, & BOHEMIÆ, &c.&c.
DOMINO SUO CLEMENTISSIMO

MAGISTER STEPHANUS DE WERBÓCZ, Judicis Curiae Serenitatis Vestrae
Protonotarius, servitiorum suorum humillimam commendationem.



Uamquam domestica, ac gentilitia Regni hujus In-
clyti Hungariæ jura, certam in seriem, formulám-
que, & ordinem redigere, ac literarum monumen-
tis illustrare, arduum, & perdifficile, ac humanò
propemodùm ingeniò, majus esse videatur: Quippe,
cùm apud nostrates eo in genere nihil hætenus ex-
titerit, aut origine diuturnum, aut sanctione stabile, aut
perenni usû, ac observantia roboratum, sed ex cujusque ferè Principis
b ac



Reclar^o et insignis

tractatus allegabilis et quotidianus
de regulis iuris excellentissimi iuris
utriusque professoris domini Dyni de mu
rello utilis et necessarius tam doctoribus
et scholaribus utriusque iuris et causis
dicis ac alijs quibuscunque personis. castigatus et noui
ter correctus cum additionibus et repertorio magistri
Nicolaï Boerij in utroque iure licentiati de montepessu
lano. Christianissimi domini nostri francorum princi
pis consiliarii ordinarij. Iterumque seu denuo per prefatū
dominum emendatus. nouisq; additionibus decoratus
et postremo per Elsum Hugonem dissutum cabilonen
sem Burgundū iuris utriusque doctorem reuiscus. et in ple
risque locis ubi opere precius est visum auctus.

Cum gratia et Priuilegio.



Title of the Pavia, 1518, edition of DE REGULIS IURIS, by the thirteenth-century Italian jurist Dinus de Rossonibus (de Mugello).



Opus excellentissimi iuris viri monarche domini Joannis fabri super institutionibus. hinc quo legum causa dula in cassum iuenculus animus assequi laborat.



Homo natus

de muliere vivens dicitur te
pore recipitur nullus miles
tyo. aduersus quas armat
virtutibus. inducitur sciens
tyo. que donu dei sit. xvj.
q. j. reuertimini. et sola vides
ditatio optima. ff. de hieie
co. lib. l. apd iul. l. sumope
re appere da. In proe. ff. si
xxvj. q. ij. si badea. na igno
rancia scripturarum. ignora

na dicitur est. xxxvj. di. c. si iuxta. et ignotans ignotabitur.
xxvj. q. vj. c. j. xxxvj. dist. c. quia ea. unde dominus. Quia
scientia repulsi. et ego te repellam. extra de renu. c. mli.
Omnis enim scriptura dicitur inspirata vultu est ad do
cendum. ad arguendum. ad corripiendum. ad erudiendum. in sa
stina. ut perfectus sit homo dei ad omne opus bonum in
structus. fm apostolum ad Timoth. q. c. ad odus in adbis
bedus. ne contra doctrina eiusde apostoli qd plus sapit qd
sapere oporteat. xlij. dist. c. binc. Pau. extra de renu. c. j. li.
vj. et fm eundem. Qui se putat scire nondum scit quid oporteat
scire. C. ad odus autem ante deditur est circa multa. Et
primo circa quid. vii. Ber. Uigilantissime obseruare quid
scire magis prius ve oporteat. ipso enim breue est. idcirco tu
qui cum timore et tremore in a ipsius optare salutem pro te
porio breuitate festinas. ea prius scire amplius curato que
sensere viciniora salutis. Nam fm Seneca. dementia est su
perbia aduicere in tanta teporis egestate. Quid enim con
geritur ad virtutis cumulum. et in quo excitat animus ad sa
lutem per verborum grammatice diligentia. metrificantiu
pedes. logicoru fallacias. rhetoricorum ornatus. musicoru
modulos. arithmeticonu numeros. geometronu mensuras.
astrologoru diuinationes. potius enim sunt ovis et farsina
ab beatitudine qd subsidium. vii. Hiero. In vanitate sensus
et obscuritate mentis ingreditur. qui diebus ac noctibus in
dialectica arte torquetur. xxxvj. dist. c. none. illa enim adi
fceda sunt que docet boneste viuere. atque non ledere. et
sua vnicuique tribuere. sicut iuris cano. et ciuiliu scientia. ff. de
iust. et iur. l. j. §. iuris precepta. j. c. et extra in proe. decre. ff.
ideoq. de oes informant. ff. de admi. tu. l. cum plures. ff.
cum tuto. de tuto. et cur. va. ab bis. l. scire opz. §. cum reli
quis. C. de p. offel. l. magistrat. C. de secu. imp. l. j. ff. de ius
sti. l. i. §. circa prin. de ritu nup. l. libertino. Cupidita
tes et nequitias refrenant. in aut. vi. in fine quoquo infra. §.
cogitanti. xlvj. dist. c. bonorum. extra de elec. anarite. et c. qd
sit. li. vj. ff. de eue. l. in creditore. j. de le. fu. ca. tol. dic vi. ibi.
Docet pudicitia. coepitum carnis petulantia. vt in aut. qui

bus modis nam. eff. legi. §. nouimus. ff. de adul. et. C. p. to
tu. extra de vit. et do. cleri. per totu. et in proemio in aingto.
Instruit suppius fragilitate cognoscere. in aut. vt. omnes
obe. in. pau. in. j. col. in aut. de nup. in prin. Docentur ad
clementiam et impietate detestantur. j. in rubrica super ver
bo plus. et in summa ad bonum inuitant. C. de nup. l. impe
rialio. Et mala puniunt et excoctantur. ff. de iust. et iure. l. j. §.
ius. vbi multas concordantias reperio super verbo. meui
penarum. omne enim studium legislatoru est vt homines
bene viuant. in aut. vt non luxu. bo. circ. a puici. et non suas
perdant animas eo. tim. §. pp. Unde secundus Sene. hoc
est sapientia sublimis. cetera vero pusilla et puerilia sunt. no
tamen dico ea penitus proicienda. xxxvj. q. j. si quis gram
maticam. et c. legimus. et c. qui de mensa. et c. turbat. sed a li
mine prospicienda. nec ea debemus disicere. sed videlicet
fm eundem. vide j. in rubrica sup verbo cupide. vana enim
doctrina est ex qua vicia animarum aut morum non curan
tur fm Joan. apostolum. Unde Hier. in originali loquens
de carminibus poetarum et pompa verborum. ibi nulla so
cietas mentis. nulla iustitie refectio reperitur studio si earu
in fama virtutum perseverant. Item Bern. ad hunc multa
sciant. sicut cognosce te ipsum. quia multo laudabilior et me
lior eo si te ipsum cognoscis qd si te neglecto cognoscere
curas syderum. vires barbararum complexionis hominum.
naturas animalium. omnium celestium et terrestrium sciens
na obtinere. C. Item Basilus in bomil. super rez. natu
ra grecoru philosophi disputant. sed nullus apud eos ser
mo fixus et stabilis habetur prope semper a lequere deie
cto. neq. ens opus nobis est que illoru sunt insinuare. cum
ad destructionem propriam sibi et ipsi sufficiant. C. Item
Seneca in epistola vltima ad Lucillum. An tu quicq. in
bis credis esse boni quorum professores turpissimos om
nium ac flagitiosissimos cernis. qui autem de liberalibus
studijs querendis iudicauerunt. nec viti bonu facit nec
permitit. nec huius rei scientiam affectant. Disce ergo cum
Hieronymo in proemio biblie prope finem. tale quid nita
rio qd tecum periret in celo. infans enim est itinerans
qui vltra necessitatem itineris se onerat bis quibus pro vo
to in termino abundabit. Unde in vita beati Bernardi le
gitur qd Ber. apparens cuidam abbati. dixit nulla hic sci
tia. nulla hic breuitas cognitio. sursum scientie plenitudo vera
notitia virtutis. C. Item attendendus est modus ad que
finem. sunt na qd nonnulli qui scire scribere disputare et lege
re volunt vt sciant querentes superare. non proficere emi
nere non sistere. et bonum finis vanitas. Nonnulli vt sciant
et bonum turpis curiositas. Nonnulli vt bonoz et diuicias
habeant. et bonum finis cupiditas. Nonnulli vt edificent. et
bonum charitas. Nonnulli vt edificent. et bonum paucitu
dia. duo vltimi laudabiles. primi abusus et damnationis cu
mulos. Non na nego quin pauper possit et debeat discere
pro pane lucrando. ff. de ou. lu. l. j. §. vj. extra de cessu. c.
cu fm aplm. na fm Brit. ij. topychoy. indigenti magis est
gedum est dicitur qd philosophari. C. Item antededitur est
Joannes faber sup iustit.

¶ De doctis.
Dodos qd te.
et quos dicio
nes ipot. car
Bar. in l. qbus
§. temulius. ff.
de p. di. et doct.
et in l. j. §. co. tu.
et l. i. muto. §. j.
ff. de tu.

its very fine engravings of all the Hungarian kings whose laws are included in the collection, as well as the portrait of István Werbőczy, the author of the *Tripartitum*.

Poland ⁶

LEGISLATION

The primary sources of legislative material from Poland continued to be *Dziennik ustaw* (Journal of Laws) and *Monitor Polski* (Official Gazette), both regularly received by the Library.

Among the important enactments passed by the legislature are the Law on Passports, the Game Law (both of June 17, 1959), the Law on Prison Guards, and the amendment to the Law on Government Enterprises. While the first two enactments mainly reshape former legislation on the same subject, the last two are of special significance.

The Law on Prison Guards is one of several to appear after the Poznań riots in Poland in June 1956, tending to ease the harsh policy toward individuals, and the Law on Government Enterprises develops the economic policy of the post-October 1956 regime. The penitentiary system, after having been taken over by the post-war regime in 1944, was placed under the then established Ministry of Public Security. After the dissolution of this ministry, the administration of prisons was subordinated to the Ministry of the Interior in 1954. Since November 1956, the administration of the penitentiary system has been assigned to the Ministry of Justice, as it was before World War II. As a consequence of these changes, the prison guard system was reorganized by the Law of December 10, 1959. While under the old law prison guards were organized according to the military unit system and constituted an

armed force for public security, the new law treats prison guards as being an armed civilian organization, the main task of which is the execution of sentences of imprisonment and of warrants of arrest.

The decentralization in the management of government enterprises that was initiated in 1957 continued throughout 1958 and 1959. The changes were accomplished mainly by administrative regulations along the general lines established by the party conventions. The main purpose of these changes was to make government enterprise the basic economic unit of the planned economy by way of self-management and the so-called labor self-government. To bring the new changes into conformance with the law, the Statute on Government Enterprises of 1950 was radically changed by the Law of February 16, 1960. At the same time, Departmental Conciliation Commissions were established by an Executive Order of February 25, 1960, with the purpose of determining disputes between labor self-government established by the Law of December 20, 1958, and the superior authorities arising out of the management of an enterprise.

In the field of international relations, Poland concluded a treaty with Hungary concerning judicial assistance (January 16, 1960).

Legislative action was more extensive with respect to executive regulations issued in pursuance of statutes enacted or repromulgated in 1958 and 1959. They are especially numerous in the sphere of military, education, and social insurance laws.

In pursuance of the Law on Military Service, several executive orders were enacted concerning recruitment procedure, registration of draftees, and training meetings for reserve officers.

In the enforcement of the Law of 1958 on Schools of Higher Education, the executive orders issued in 1959 concerned the nomination of candidates for chairs,

⁶ Unless otherwise stated, publications mentioned in this section were issued in Warsaw.

academic degrees, scholarships, and dormitories, as well as the requirements and procedure for admission of candidates to studies on government administration.

Executive orders issued in pursuance of social insurance and pension laws regulated the procedure relating to members of Citizens' Militia, to disabled war veterans, and to miners.

COLLECTIONS OF SUPREME COURT DECISIONS

Two collections of Supreme Court decisions of cases on substantive and procedural criminal law are of special interest. The first is *Orzecznictwo Sądu Najwyższego z zakresu materialnego prawa karnego 1945-1957* (1958), prepared by Gustaw Auscaler, and the other is *Orzecznictwo Sądu Najwyższego z zakresu prawa karnego procesowego 1945-1957* (1959), prepared by Leon Schaff. Material inserted in these collections was taken from the files of the Institute of Legal Sciences of the Polish Academy of Sciences. Decisions pertaining to substantive criminal law cover the period from 1945 up to June 6, 1957, and decisions pertaining to criminal procedure the period from 1945 up to January 1, 1958. The compilers promise to continue their work for the subsequent years. The compilations give not only digested court decisions (syllabi) but also opinions of the court, insofar as it is necessary for the full support of the decision. In this way both of them serve not only the practical purposes of practicing lawyers but also meet the needs of scholars by giving them the development of court decisions. The compilers made their publications more useful by arranging the legal material alphabetically by subject, numerically according to the numbers of each article, and chronologically according to the time of pronouncement of the decision, thus making it especially convenient to locate decisions.

PERIODICALS

Palestra (The Bar), a monthly publication of the National Council of the Bar since 1957, gives legal articles and reports on the activities and resolutions of the bar authorities. *Prawo i życie* (Law and Life), a biweekly published by the Polish Lawyers' Association since 1956, contains, besides legal articles, information on the new trend in the codification of laws, and reports from courtrooms and on the activities of the Polish Lawyers' Association. University publications include *Annales Universitatis Mariae Curie Skłodowska* of the University of Lublin. *Zeszyty naukowe* (Law Reviews) of the Szkoła Główna Służby Zagranicznej (Central School of Foreign Service) of the University of Poznań, and similar publications of the Jagiellon University of Cracow and of the University of Wrocław, present articles on legal history, the system of government, the economic system, and current legislation. *Zbiór dokumentów* (Collection of Documents), published since 1945 by the Polish Institute of International Affairs, gives the texts of documents concerning international treaties and diplomatic papers.

TREATISES

The Polish law collection was enriched by comprehensive treatises covering specific fields of law, some of which deserve special attention.

Public law is covered by one compilation and two treatises. *Konstytucja i podstawowe akty ustawodawcze Polskiej Rzeczypospolitej Ludowej* (1958), by Andrzej Gwizdz and Janina Zakrzewska, is a compilation of constitutional law and substantive legislation enacted during 1945-52 concerning the organization and functioning of legislative and executive branches of the government, both central and local. *Prawo administracyjne* (1959), by Jerzy Starościak and Emanuel Iserzon, is a com-

prehensive treatise covering the entire field of public administration. *Administracyjno-prawne zagadnienie siły wodnej* (1958), by Waław Brzeziński, discusses the development of water power in the planned economy as well as the administrative problems of waterways and inland waterway navigation.

In the field of civil law, the Polish collection was enriched by several texts of laws, commentaries, and treatises. The second edition of *Prawo cywilne i kodeks rodzinny* (1959) brings up to date, as of March 31, 1959, the texts of the General Provisions of Civil Law, the Law of Property, the Law on Land Register, the Code of Obligations (Contracts and Torts), the Inheritance Law, the Code of Domestic Relations, and the Law on International Conflict of Laws. All these laws, except the Code of Domestic Relations, were extensively commented upon and annotated with Supreme Court decisions and related provisions in *Prawo cywilne* (1958), a collective work under the general editorship of Witold Świącicki. This two-volume commentary is designed for practicing lawyers. Two other treatises are written for law school students. *Prawo cywilne* (1959), by Jerzy Wiszniewski, deals with civil law in general, and the two-volume treatise, *Zobowiązania* (1958-59), by Alfred Ohanowicz and Józef Górski, presents the law of contracts and torts. The authors survey the provisions enacted in connection with the new economic system which originally were not included in the Code of Obligations, and which now are brought into relation to this code.

The Code of Domestic Relations is commented upon in a second edition of *Kodeks rodzinny* (1959), by several authors under the general editorship of Maurycy Grudziński and Jerzy Ignatowicz. The work is annotated with Supreme Court decisions and supplied with a bibliography. *Unieważnienie małżeństwa* (Cracow, 1958), by

Jan Górecki, supplements the above treatise with substantive and procedural material concerning the annulment of marriage. *Prawo o aktach stanu cywilnego* (1959) gives legal material concerning vital statistics up to February 1, 1959.

Among books on civil law should also be mentioned *Prawo handlowe i przemysłowe* (1958), compiled by Roman Piotrowski. This gives the text of the Commercial and Industrial Law, together with related provisions up to September 15, 1958. *Transakcje w handlu morskim* (1958), by Józef Kunert, is a lengthy treatise on various forms of commercial and maritime transactions. It also includes forms of contracts, and a translation of technical terms into English, French, and German. It is a unique work among Polish legal writings.

Special attention should be called to *Zagadnienia teorii i wykładni prawa ludowego* (1959), by Jerzy Wróblewski. It is the first law book in postwar Poland which expounds the theory and construction of the "people's law." It also gives a summary in English, German, and Russian, is annotated with bibliographical footnotes and court decisions, and is supplied with an index.

In the field of civil procedure, two books should be mentioned: *Postępowanie cywilne* (1958-59), a two-volume treatise on civil procedure by Władysław Siedlecki, and *Czynności sądowe w sprawach cywilnych* (1959), by Jan Polickiewicz, Władysław Siedlecki, and Edmund Wengierek, containing forms and a commentary on civil procedure.

Criminal law is covered in the ninth edition of *Kodeks karny i prawo o wykroczeniach* (1958), compiled by Maria Kazimiera Piasecka. It brings the text of the Polish Criminal Code of 1932 and related material up to September 5, 1958. A ninth edition (1958) of the commentary on this work by one of the leading experts on criminal law in Poland, Mieczysław Sie-

wierski, supplements former editions with new court decisions and provisions up to April 30, 1958. *Zagadnienia prawa karnego i teorii prawa* (1959) is a memorial book written by several authors under the general editorship of Marian Cieślak in honor of Władysław Wolter, professor at the Jagiellon University in Cracow. Several articles discuss problems of penal law and theory of law. *Kryminalistyka* (1958), by Paweł Horoszowski, is a lengthy monograph on crime detection and investigating methods. This book, rather unique in Polish legal writings, is based on the personal practice and experience of the author.

Legal material concerning the service status of employees of the educational system, both teachers and administrative personnel, is compiled in the two-volume *Stosunki służbowe pracowników szkolnictwa* (1959), by Jan Buczkowski and Józef Wójcik. It is commented upon and annotated with court decisions and resolutions of the Central Council of Trade Unions.

Administrative regulations implementing legislation concerning general old age and disability pensions for workers, miners, disabled war veterans, and ex-servicemen, as well as regulations concerning compensation for nationalized enterprises and farms up to December 31, 1958, are given in *Zaopatrzenie emerytalne* (1958).

A comparative study of the development from ancient times of life insurance systems in various countries, with particular emphasis on present-day life insurance in the Polish People's Republic, is presented in *Ubezpieczenie na życie* (1958), by Zdzisław Szymański.

Stanisław Garlicki's second edition of *Urlopy pracownicze* (1958), is a commentary on annual, administrative, and maternity leave. It gives the text of the law, court decisions, and related provisions up to May 1, 1958.

The Polish tradition in the field of bibliographies is upheld in *Bibliografia historyczno-prawna za lata 1937-1947* (Toruń, 1959), a general bibliography of writings on the history of law in various countries which was prepared by Karol Koranyi and Jadwiga Koranyiowa, both internationally known for their previous works in the field of legal bibliography.

HISTORY OF LAW

The Law Library acquired several valuable works on the history of Polish law.

The first volume of *Akta stanów Prus Królewskich* (1955), edited by Karol Górski and Marian Biskup, presents records of the assemblies of the Prussian Council of Polish Royal Prussia, and of representatives of the cities and of the gentry for the years 1479-88. These records were preserved from destruction during the last war in the archives of the cities of Gdańsk, Toruń, and Fromborg. It is a continuation of the work of Max Toeppen, who published material up to 1466 in *Akten der Ständetage unter der Herrschaft des Deutschen Ordens* (5 vols., Leipzig 1878-86), and of F. Thunert, who published material in *Akten der Ständetage Preussens Königlichen Anteils* (Danzig, 1896).

Monarchia Kazimierza Wielkiego (Poznań, 1946), by Zdzisław Kaczmarczyk, is the second volume of a study of the organization of church and state in Poland during the reign of Casimir the Great, King of Poland in the fourteenth century.

Ludwik Ehrlich, in *Polski wykład prawa wojny w XV w. kazanie Stanisława ze Skalbimierza De bellis iustis* (1955), analyzed a work by Stanislas of Scalbimieria (Skalbimierz), the fifteenth-century Polish jurist and rector of the University of Cracow. According to Professor Ehrlich, the work appears to be an early contribution to international law and the first systematic exposition of the law of war. The

work has summaries in English and Russian.

Bartłomiej Groicki's *Obrona sierot i wdów* is a 1958 edition of the original 1605 edition. Bartłomiej Groicki, a Polish legal writer (1519-99), was famous for his contribution to the municipal law of Poland. His work is a striking example of international legal cooperation in Renaissance Europe. It is in fact a Polish version of the internationally known treatise by Jodok Damhouder, the Flemish jurist, which was first published in 1544. Groicki broadened the implication of the treatise by including in it provisions of Polish statutes applicable to the gentry as well as in municipal courts all over Poland. After the Ukrainian provinces of Poland joined Muscovia in the seventeenth century and a code of law for these provinces was prepared in the eighteenth century, Groicki's work was referred to in these provinces as a source of law.

Rumania ⁷

STATUTES

Among the laws enacted by the legislature in 1959, one of March 19 is striking for its title, "Concerning the Liquidation of the Bourgeoisie." In fact the law deprives landowners who do not till their land personally of the right to rent, convey, or otherwise dispose of it. Among the subjects of other laws passed by the legislature, the following may be mentioned: pensions for old age and invalidism (Sept. 5); amendment of the Constitution defining the term of office of members of people's soviets for local government (Dec. 31); new rates of income tax and exemptions (August 10); the Air Code (June 20); workers' comrade courts (June 20); government arbitration in settling disputes between government agencies (Aug. 17); and

⁷ Unless otherwise stated, publications mentioned in this section were issued in Bucharest.

amendment of the Criminal Code and Code of Criminal Procedure.

In the field of international relations, Rumania became a party to several international agreements on judicial assistance. Texts were printed of the following bilateral agreements ratified by the Presidium of the National Assembly: with Hungary (Jan. 17), with Czechoslovakia (Feb. 18), and with Bulgaria (March 31).

COLLECTION OF LAWS AND DECISIONS

Legislația stațiunilor de mașini și tractoare is an official collection of laws, decrees, and decisions on machine tractor stations which was published in 1957 by the Ministry of Justice. The Library also has received a collection of decisions rendered between 1952 and 1957 by the Chief Government Arbitrator in disputes between government agencies, *Culegere de instrucțiuni date de primul arbitru de Stat* (1958).

LEGAL PERIODICALS

The main sources of present-day legal information from Rumania are *Justiția nouă* and *Legalitatea populară*. Both are monthly publications which are issued by the Ministry of Justice in cooperation with the Office of the Attorney General and the Supreme Court. All issues of *Justiția Nouă* printed between 1952 and 1958, with the exception of 1955, are in the Library, and all issues up to and including 1958 of *Legalitatea populară*, which began publication in 1955, have been acquired.

In addition the Law Library has received the 1959 issues of *Studii și Cercetări Juridice*, published semiannually since 1956. This is a legal periodical of the Institute of Legal Research of the Academy of the Rumanian People's Republic, which carries resumés in Russian and French of the legal studies contained therein as well as reviews of domestic and foreign legal books.

TREATISES

The fundamentals of the legal system of present-day Rumania are stated in *Principii de drept* (1959), a comprehensive work issued by the Ministry of Justice. It covers constitutional law, administrative law, civil law, family law, labor law, and criminal law as well as civil and criminal procedure. Administration is dealt with in *Drept administrativ al R.P.R.* (Stalin, 1958), a work by Ioan Gliga and Mircea Stoica. They discuss the principles of state administration, agencies, administrative procedures, petty offenses, and punishments, as well as such topics as the national economy, state finances, and credit problems. In the field of civil procedure, an attempt at a systematic presentation was made by Arthur Hilsenrad and Ilie Stoenescu in *Procesul civil în R.P.R.* (1957). *Regimul juridic al actelor de stare civilă* (1958) is a monographic presentation, by Gh. Penculescu and M. Anghene, of the legal aspects of the acts of civil status. A succinct survey of the general history of state and law was made by V. Hanga in *Istoria generală a statului și dreptului* (1958). The petty offenses of black marketing, of hooliganism, and of offenses against public duties and public morals as well as the special procedures for their prosecution are discussed by V. Gh. Taron in *Infrațiunile pentru care se aplică proceduri speciale de urmărire și judecată* (1958).

Arbitrajul în comerțul exterior al R.P.R. (1957), by Ion Nestor, is a study on the arbitration of disputes involving foreign trade. It contains the text of regulations on foreign trade arbitration, and regulations on the organization and functions of the Arbitration Board and of the Chamber of Commerce of Rumania and other Communist countries.

Of textbooks used in law schools, the Library acquired a work by V. Negru on civil law, *Curs de drept civil* (Iași, 1958)

and another by Constantin C. Stegăriou on criminal law, *Drept penal* (Cluj, 1958).

Finally, a number of books pertaining to the pre-Communist era are worthy of mention. Outstanding among them are two items in the Cyrillic alphabet which were printed in the first half of the past century: *Legiuirea caragea* (1838) and *Regulamentul organic* (1847). The former is a guide for judges of Wallachia with regard to trials in civil and criminal matters. The latter is a collection of rules which were issued for Moldavia and Wallachia in 1831 and 1832 by the Russian Government. These rules constituted the basic law of the Rumanian principalities until 1848.

Other valuable works concerned with the pre-Communist legal system are: *Explicațiunea teoretică și practică a codicelui civile* (1873), by Constantin Eraclide, and *Dreptul civil rumân* (3 vols., 1901-3), by C. Nacu, both of which deal in great detail with civil law. Extensive works on civil procedure are *Explicațiunea teoretică și practică a codicelui de procedură civile* (2 vols., 1879), by I. G. Săndulescu-Nănoveanu, and *Procedura civilă* (4 vols., Iași, 1887). A treatise on commercial law is Scarlat Ghica's *Dreptul comercial român* (1853); this is printed in the Cyrillic alphabet.

The Soviet Union^{*}

STATUTES

Current statutory law as enacted by the USSR Supreme Council and its Presidium and printed in *Vedomosti Verkhovnogo Soveta SSSR* has been received regularly.

Because of the special significance of the legislation enacted by the Supreme Council of the USSR on December 22-25, 1958, a separate issue covering this session was published as *Zakony SSSR i postanovleniia*

^{*} Unless otherwise stated, publications mentioned in this section were issued in Moscow.

Verkhovnogo Soveta SSSR; priniaty na 2. sessii Verkhovnogo Soveta SSSR 5. sozyva. 22-25 dek. 1958 (1959).

Sbornik zakonov SSSR i ukazov Prezidiuma Verkhovnogo Soveta SSSR (1938 g.-noiabr' 1958 g.) (1959), edited by L. I. Mandelshtam, contains the statutory law enacted by the USSR Supreme Council and its Presidium from 1938 through November 1958. Some acts not included in *Vedomosti* are included here.

PERIODICALS

All the legal periodicals mentioned in previous acquisition reports have been arriving regularly.

A bimonthly publication, *Radians'ke pravo* (Soviet Law), began to be issued in Kiev in 1958 and resembles other Soviet legal periodicals. It is an organ of the Ukrainian Ministry of Justice, the Government Attorney, and the Supreme Court, and also of the legal section of the Ukrainian Academy of Science. Thus it contains articles of high theoretical level and also has material of practical importance, particularly a regular review of cases decided by the Supreme Court of the Ukrainian SSR and of the Government Arbitration Board.

CONSTITUTIONS AND CODES

The following constitutions were received in separate pamphlets: the USSR Federal Constitution, 1959, and the constitutions of the individual republics of Azerbaijan SSR (Baku, 1959), Chechen-Ingush ASSR (Groznyi, 1958), Latvian SSR (Riga, 1959), Udmurt ASSR (Izhevsk, 1959), and Belorussian SSR (Minsk, 1958).

The latest annotated codes received by the Library were: for Georgia (Transcaucasia), the Civil Code as of May 1, 1958, the Code of Civil Procedure as of September 1, 1957, the Criminal Code as of May 1, 1958, and the Criminal Procedure Code

as of March 1, 1957; and for the Ukraine, the Criminal Code as of September 1, 1958, in Ukrainian. There is word that new criminal codes were enacted in 1959 in Uzbekistan and Kirghizia reflecting the federal criminal reform of 1958, but they were not printed in the periodical press and did not reach the Library.

The statutes on elections to the Supreme Councils of the individual Soviet Republics cover the RSFSR, 1959; Buriat ASSR (Ulan-Ude, 1958); Kabardino-Balkar ASSR (Nal'chik, 1959); Komi ASSR (Syktyvkar, 1959); and Belorussian SSR (Minsk, 1959).

CONSTITUTIONAL LAW

Published by the USSR Academy of Sciences' Legal Institute, *Voprosy sovetskogo gosudarstvennogo prava* (1959), edited by V. F. Kotok, contains various articles dealing with the problems of Soviet constitutional law. *Voprosy sovetskogo sotsialisticheskogo prava* (1958), published by the All-Union Institute of Legal Science, is broader in scope, offering a collection of articles surveying the 40-year evolution of Soviet law, and covering civil law, land tenure law, labor law, criminal law, and criminal procedure. A textbook on constitutional law and Soviet legislation for use in high schools is *Osnovnye voprosy konstitutsii SSSR i sovetskogo zakonodatel'stva* (1959), by I. B. Cheliapov. A comprehensive bibliography of Soviet constitutional law for the period 1917-57, *Sovetskoe gosudarstvennoe pravo. Bibliografiia, 1917-1957* (1958), compiled by the Legal Institute of the USSR Academy of Sciences, claims to be the first Soviet reference book of this kind. Constitutional law had actually been the subject of a previous bibliography, but this is certainly the first really comprehensive one in this field. From the individual Soviet Republics, *Turkestanskaia ASSR i ee gosudarstvenno-pravovye osobennosti* (Tash-

kent, 1958), by S. Z. Urazaev, and *Konstitutsionnye osnovy suvereniteta Kirgizskoi SSR* (Frunze, 1959), by R. Turgunbekov, deal with the constitutional law of the Turkestan ASSR and the Kirghiz SSR; while *Ocherki po istorii gosudarstva i prava Belorusskoi SSR* (Minsk, 1958), is a collection of articles on Belorussian constitutional law, edited by the Law School of the Belorussian University in Minsk.

COURTS AND LAWYERS

Oblastnoi (kraevoi) Sud (1958), by T. N. Dobrovol'skaia, describes regional (provincial) courts, their organization, and their jurisdiction. The problems of the organization and activities of Soviet courts are discussed in *Voprosy organizatsii i deiatel'nosti sovetskikh sudov* (1958), by F. G. Tarasenko.

The Soviet federal court may issue to the lower courts directives on certain subjects apart from pending cases, and revise them from time to time. *Sbornik deistvuiushchikh postanovlenii Plenuma Verkhovnogo Suda SSSR, 1924-1957* (1958), edited by N. K. Morozov, is a collection of such rulings passed from 1924 to 1947 and considered to be still in force.

T. E. Neishtadt describes the status, role, and duties of the Soviet lawyer in *Sovetskii advokat* (1958). A German book on the Soviet bar is *Die Organisation der sowjetischen Anwaltschaft* (Berlin, 1958), by A. Bilinsky, published by the Institut für Ostrecht in Munich. In addition to the basic statute on the USSR bar of August 16, 1939, the author provides a short history of the Russian bar since 1864, significant changes imposed by the Soviet regime since 1917, and the specific status of the Soviet bar.

ADMINISTRATIVE LAW

Although the administrative branch of the Soviet Government is the strongest, legal writings on this subject are rather

scarce. In his *Sushchnost' sovetskogo administrativnogo prava* (Leningrad, 1959), G. I. Petrov attempts to define administrative law and to place it within the general legal Soviet system, and urges the completion of its codification.

Sbornik reshenii i rasporiazhenii Ispolnitel'nogo Komiteta Leningradskogo Gorodskogo Soveta deputatov trudiashchikhsia (Leningrad, 1958) contains ordinances of the Executive Committee of the City Council in Leningrad from December 1, 1955, through March 1, 1958. This book is a continuation of an edition of 1956 and covers the subject of city administration. Its Moscow counterpart issued a similar compilation, *O sobliudenii obshchestvennogo poriadka i pravil blagoustroistva v Moskve* (1958).

Polozheniia o sel'skikh sovetakh deputatov trudiashchikhsia (1959) contains statutes on the lowest administrative agencies of all the Soviet republics, with the exception of the Tajik SSR, as of January 20, 1959.

CRIMINAL LAW

A significant change in the field of Soviet criminal law which took place in December 1958 was mentioned in last year's acquisitions report.⁹ Unfortunately only a few rather insignificant writings received deal with this subject, one of them being V. M. Savitskii and IU. A. Rozenbaum's *Novoe zakonodatel'stvo v oblasti ugolovnogo prava, sudoustroistva i ugolovnog sudoproizvodstva* (1959).

Among the books received was a new (sixth) edition of *Sovetskoe ugolovnoe pravo, obshchaia chast'* (1959), edited by V. M. Chkhikvadze, in which noted contributors like A. A. Gertsenzon, A. A. Piontkovskii, and B. S. Utevskaia present general principles of Soviet criminal law. *Sovetskoe ugolovnoe pravo, osobennaia chast'*

⁹ *QJCA*, XVI (August 1959), 219.

(1958), edited by B. S. Utevsii and others, deals with individual crimes under Soviet criminal law. Both parts, to be used as textbooks in university law schools, went to press before December 1958; therefore no changes made in that month were considered except that a separate supplement containing these "basic principles" has been attached at the end of the general part (1959). Another work dealing with individual crimes, *Sovetskoe ugodovnoe pravo, chast' osobennaia* (Leningrad, 1959), was prepared as a textbook by the members of the law faculty of Leningrad University, who include M. D. Shargorodskii, I. I. Slutskii, N. A. Beliaev and others. This textbook went to press in April 1959; therefore the new "basic principles" are treated in the text itself.

Nakazanie po sovetskomu ugodovnomu pravu (1958), by M. D. Shargorodskii, published prior to the reform, deals with punishment in Soviet criminal law. It is the second part of *Nakazanie po ugodovnomu pravu*, the first part of which dealt with punishment in "capitalistic" countries. Application of punishment in Soviet criminal law is also discussed in *Voprosy primeneniia nakazaniia po sovetskomu ugodovnomu pravu* (1958), by A. D. Solov'ev.

A concise but accurate review of Soviet criminal law in the German language is presented by F. Ch. Schroeder in *Das Strafrecht der UdSSR de lege ferenda* (Berlin, 1958), published as the third volume of *Studien des Instituts für Ostrecht*, in Munich. Preparatory acts and attempt in Soviet criminal law is the subject of *Prigotovlenie i pokushenie po sovetskomu ugodovnomu pravu* (1958), by I. S. Tishkevich. A discussion of mitigating and aggravating circumstances is offered by I. I. Karpets in *Otiagchaiushchie i smiagchaiushchie obstoiatel'stva v sovetskom ugodovnom prave* (1959). Proximate cause is dealt with in *Prichinnaia sviaz' v sovetskom ugodovnom*

prave (1958), by M. I. Kovalev. The personality of the perpetrator is the subject of *Sub'ekt prestupleniia po sovetskomu ugodovnomu pravu* (1958), by V. S. Orlov. Its fifth chapter deals with the criminal responsibility of foreigners. P. P. Mikhailenko treats the history of criminal legislation in the Ukrainian SSR in *Narysy z istorii kryminal'noho zakonodavstva Ukrain'skoi RSR* (Kiev, 1959). Published by the Academy of Sciences of the Ukrainian SSR, the first part covers the period from 1918 through 1925.

The following treatises deal with individual crimes: *Vidy dolzhnostnykh prestuplenii po sovetskomu ugodovnomu pravu* (1959), by V. F. Kirichenko, on special and general crimes committed by persons occupying an official position; *Otvettvennost' za podlog dokumentov po ugodovnomu pravu* (1959), by A. V. Kuznetsov, on forgery of documents; *Otvettvennost' za telesnye povrezhdeniia po sovetskomu ugodovnomu pravu*, 1959, by A. S. Nikiforov, on bodily injuries; *Ugodovnaia otvetstvennost' za obvorovyvanie pokupatel'ia* (1958), by I. G. Sapozhnikov, on criminal liability for fraud against a purchaser; and *Otvettvennost' za razboi po sovetskomu ugodovnomu zakonodatel'stvu* (Sukhumi, 1958), by M. B. Guguchiiia, on the crime of robbery according to the Criminal Code and the Edict of the Presidium of the USSR Supreme Soviet of June 4, 1947.

CRIMINAL PROCEDURE

P. S. El'kind's *Rassledovanie i sudebnoe rassmotrenie del o neumeniaemykh* (1959) presents the special treatment under Soviet criminal law of incompetent persons, while the special treatment of minors is dealt with in *Osobennosti rassledovaniia i sudebnogo razbiratel'stva del o nesovershennoletnikh* (1959), by G. M. Min'kovskii, which does not take into account the reform of 1958. The findings and reasons for a judgment in Soviet criminal proce-

ture are the subject of *Obosnovannost' prigovora v sovetskom ugolovnom protsesse* (1959), by V. IA. Dorokhov and V. S. Nikolaev. "Socialist legality" in Soviet criminal procedure is discussed in *Sotsialisticheskaia zakonnost' v sovetskom ugolovnom protsesse* (1959), by V. P. Rad'kov. A. A. Starchenko treats of logic in judicial examinations in his *Logika v sudebnom issledovanii* (1958). Preliminary investigation in Soviet criminal procedure is dealt with in *Predvaritel'noe rassledovanie v sovetskom ugolovnom protsesse* (1958), by V. A. Stremovskii. Reopening of proceedings terminated by a final judgment on the ground of newly discovered facts is the subject of *Vozobnovlenie del po vnov' otkryvshimsia obstoiatel'stvam v sovetskom ugolovnom protsesse* (1959), by B. S. Teterin. The rights of the defendant in Soviet criminal procedure are discussed in *Garantii prav obviniaemogo v sovetskom ugolovnom protsesse* (Leningrad, 1959), by V. Z. Lukashevich. *Amnistiia i pomilovanie v SSSR* (1959), edited by P. S. Romashkin, deals with amnesty and pardon. *Ispravitel'nye raboty* (1959), by I. A. Bushev, discusses correctional labor without confinement as a kind of punishment and at the same time a means of correction.

CIVIL LAW AND PROCEDURE

Soviet civil law textbooks are represented by: *Sovetskoe grazhdanskoe pravo* (1959), edited by I. B. Novitskii for legal education in secondary schools, and *Osnovy sovetskogo grazhdanskogo i trudovogo prava* (1959), by G. M. IAmenfel'd and others, recommended as a civil and labor law textbook for business schools. For students taking correspondence courses, the USSR Ministry of Higher Education is issuing *Sbornik normativnykh materialov po sovetskomu grazhdanskomu pravu*. This collection of legislation in the field of Soviet civil law is planned in two parts,

of which the Library so far has received only the first (1958), which is the work of A. IU. Kabalkin. It is arranged according to the topics of civil law and not in chronological order.

IUridicheskie fakty v sovetskom grazhdanskom prave (1958), by O. A. Krasavchikov, deals with legally relevant facts in Soviet civil law, and *Ustanovlenie iuridicheskikh faktov sudom v poriadke osobogo proizvodstva* (1958), by R. F. Kallistratova, concerns the procedure for establishing legally relevant facts in courts.

The participation of government agencies in Soviet civil procedure is the subject of *Uchastie organov gosudarstvennogo upravleniia v sovetskom grazhdanskom protsesse* (1958), by A. A. Dobrovolskii.

Inheritance law according to legislation and court cases is featured in *Voprosy nasledovaniia (spravochnik po zakonodatel'stvu i sudebnoi praktike)* (1959), edited by V. A. Boldyrev. *Prava i obiazannosti grazhdan pri kuple-prodazhe i bytovom podriade (zakaze)* (1959), by B. V. Pokrovskii and G. M. Stepanenko, contains popular legal information on sales contracts, including those of buildings, and "zakaz," i.e., contracts for hiring work (labor and services). *Sudebnoe razbiratel'stvo grazhdanskikh del.* (1958), by P. P. Gureev, deals with civil procedure. *Sudebnoe reshenie* (1959), by M. G. Avdiukov, analyzes a court judgment in Soviet civil procedure. *Ispolnenie sudebnykh reshenii* (1959), edited by V. A. Boldyrev, is a compilation of all legal provisions pertaining to the execution of judgments in the Soviet Union. This is particularly significant because the execution of judgments in the USSR is not exclusively within the power of court officials, but is also the duty of various government agencies. Thus, a compilation of this scope seems a particularly valuable manual. Guardianship and custodianship are discussed in *Opeka i popechitel'stvo nad neso-*

vershennoletnimi po sovetskomu pravu (1959), by N. M. Ershova. *Pravo lichnoi sobstvennosti v SSSR* (1958), by D. F. Eremeev, touches a sensitive spot in Soviet law, personal ownership, the Soviet substitute for private property.

LABOR LAW

Trudovoe pravo; entsiklopedicheskii slovar' (1959), edited by A. I. Denisov and others, is an encyclopedic labor law dictionary published by the "Large Soviet Encyclopedia." *Trudovye prava rabochikh i sluzhashchikh* (2d ed., 1959), by N. G. Aleksandrov, IA. L. Kisilev, and A. I. Stavtseva, is a manual on labor law arranged in the form of questions and answers, up to date as of July 10, 1959. *Rassmotrenie trudovykh sporov* (1958), by A. E. Pasherstnik, deals with the settlement of labor disputes. *Trudovoi stazh rabochikh i sluzhashchikh* (1958), by L. IA. Gintsburg, deals with the "stazh," that is, length of employment as a basis for determining the amounts of wages and salaries and other benefits. Labor laws and legislation can be found in *Sbornik vazhneishikh zakonov i postanovlenii o trude* (1958), edited by I. S. Dvornikov. A concise collection of labor legislation is also contained in a trade union publication, *Kratkii sbornik zakonodatel'nykh aktov o trude* (1959). Labor legislation concerning agricultural workers is dealt with in *Sbornik postanovlenii i razporiazhenii po trudu dlia rabotnikov sel'skogo khoziaistva* (1958), edited by P. V. Ermolaev and published by the Ministry of Agriculture of the RSFSR. Court protection of workers' rights is the subject of *Sudebnaia zashchita trudovykh prav grazhdan SSSR* (1958), by E. I. Filippov. Industrial safety laws and legislation were compiled by P. I. Railo and M. E. Zhilo in *Spravochnik po okhrane truda i tekhnike bezopasnosti* (1958); while *Sbornik vazhneishikh materialov po okhrane truda i tekhnike bezopasnosti na transportnom stroitel'stve* (1958), edited

by A. P. Aleksandrov and others, deals with industrial safety legislation with respect to transportation construction only. *Ugolovno-pravovaia okhrana bezopasnosti uslovii truda v SSSR* (1958), by A. B. Sakharov, deals with criminal liability for violations of industrial safety rules in the USSR.

SOCIAL SECURITY

Gosudarstvennoe sotsial'noe strakhovanie (1958), is the third edition of a manual on social security, edited by I. I. Kozlov and others and published by the Trade Union. Military retirement pensions are the subject of *Voprosy pensionnogo obespecheniia voennosluzhashchikh i ikh semei* (2d ed., 1959), by A. I. Kotliar and B. B. Kozhevnikov. *Kak oformit' gosudarstvennuu pensiiu* (1959), by A. V. Levshin and A. A. Zabozaev, is a rather popular work on applications for state pensions.

LAND TENURE

A comprehensive source for USSR as well as RSFSR collective farm legislation can be found in the two-volume *Istoriia kolkhoznogo prava* (1959), edited by N. D. Kazantsev and others; the first volume covers 1917-36 and the second from 1937 to July 1, 1958. *Sovetskoe zemel'noe i kolkhoznoe pravo* (1959), edited by N. D. Kazantsev, represents a rather popular textbook on land and collective farm laws for use in agricultural-technical schools. In *Voprosy kodifikatsii zakonodatel'stva o kolkhozakh* (1959), edited by G. A. Akse-nenok, a classification and codification of collective farm legislation are urged in a collection of articles prepared for a conference held in June 1958 by the Legal Institute of the USSR Academy of Sciences, with various representatives of executive branches, universities, etc. *O prave kolkhoznoi sobstvennosti* (1958), by M. I. Kozyr', deals with collective farm proprietary rights. The legal aspects of the economic activities of collective farms are discussed in *Pravovye formy khoziaistven-*

noi deiatel'nosti kolkhozov (1959), by A. M. Kalandadze. The legal status of the "inter-kolkhoz" establishments, such as electric power plants, hospitals, and schools, used not by one but by several collective farms, is the subject of *Pravovoe polozhenie mezhkolkhoznykh organizatsii* (1958), by Z. S. Beliaeva.

Transfer of the rural population is the subject of *Pravovoe regulirovanie sel'skokhoziaistvennogo pereseleniia v SSSR* (1959), by A. I. Volkov and I. V. Pavlov. *Pravovoe regulirovanie kolkhozno-rynochnoi torgovli* (1959), by A. G. Pervushin, deals with the right of collective farms to sell their produce directly on a free market.

INTERNATIONAL LAW

The Soviet Association of International Law began publication in 1959 of an international law yearbook, *Sovetskii ezhegodnik mezhdunarodnogo prava*. The first volume, edited by the Soviet experts G. I. Tunkin, E. A. Korovin, V. N. Durdenevskii, and others, contains treatises on various subjects, all written from the point-of-view of coexistence, as well as reports on the first annual meeting of the Association, and a bibliography. It aims, as the editorial board put it, "to elaborate the Soviet science of international law, review current problems, and supply information on research and the teaching of international law in law colleges, and the state of science abroad." A special feature of this publication is an English summary at the end of each article, with notes and comments. Problems of contemporary international law are discussed in *Osnovnye problemy sovremennogo mezhdunarodnogo prava* (1958), by D. B. Levin. Lenin's addresses, essays, and lectures on international policy and international law are collected in *Lenin o mezhdunarodnoi politike i mezhdunarodnom prave* (1958).

M. M. Boguslavskii and A. A. Rubanov discuss the legal status of foreigners in the

USSR in *Pravovoe polozhenie inostrantsev v SSSR* (1959). It contains a number of statements unsupported by legal authorities. *Mezhdunarodnoe pravo* (1959) is a Russian translation of a German work on international law by Alfred Verdross. Peaceful coexistence of states in its international legal aspects is dealt with in *Mezhdunarodno-pravovye formy mirnogo sushchestvovaniia gosudarstv i natsii* (1957), edited by S. B. Krylov and V. N. Durdenevskii. I. S. Pereterskii's *Tolkovanie mezhdunarodnykh dogovorov* (1959) discusses the interpretation of international treaties. *Sub'ekty mezhdunarodnogo prava* (1958), by L. A. Modzhorian, deals with the problem of bearers of rights in international law.

Sovetskaia literatura po mezhdunarodnomu pravu; bibliografiia 1917-1957 (1959), edited by V. N. Durdenevskii, is a comprehensive bibliography of Soviet writings on international law, both public and private, for the period 1917-57.

Pervyi russko-kitaiskii dogovor 1689 goda (1958), by P. T. Iakovleva, is a comprehensive work on the first Russian-Chinese treaty of August 27, 1689, called the Treaty of Nerchinsk.

MARITIME LAW AND INLAND

WATERWAYS

Principles of Soviet maritime law are offered in a new textbook, *Osnovy sovetskogo morskogo prava* (1959), by G. L. Shmigel'skii and V. A. Iasinovskii. A comprehensive classified collection of international maritime treaties and agreements between the USSR and other countries was published as *Sbornik mezhdunarodnykh konventsii, dogovorov, soglashenii i pravil po voprosam torgovogo moreplavaniia* (1959), edited by A. D. Keilin and D. N. Kolesnik.

Preduprezhdenie stolknovenii sudov v more (1955), edited by V. F. Medvedev,

deals with the prevention of collisions of vessels on the high seas.

GENERAL WORKS AND MISCELLANY

Uchetnaia dokumentatsiia (1959), by S. S. Kromin, attempts to make accounting principles and rules understandable to the participants in criminal cases involving the theft and embezzlement of public (socialist) property. *Pis'mennye dokazatel'stva v praktike arbitrazha* (1959), by P. P. Iakimov, discusses the value of documentary (written) evidence, primarily in cases settled by the Gosarbitrazh (Government Arbitration Board). *Dovidnyk hospodarnyky* (Kiev, 1958), by IU. N. Vaksman and F. I. Lishak, in Ukrainian, provides excellent guidance in the legal field for the administrative personnel of various economic organizations. *IUridicheskii spravochnik dlia naseleniia* (1959), edited by O. S. Ioffe, is a popular legal guide published by Leningrad University. Legal problems of scientific work in the USSR are discussed in *Pravovye voprosy organizatsii nauchnoi raboty v SSSR* (1958), by G. I. Fed'kin. The charter of the Academy of Sciences of the USSR, as of March 28, 1959, is now available in the original Russian, as well as in English. Soviet banking law is the subject of *Ocherki sovetskogo bankovskogo prava* (Leningrad, 1959), by I. S. Gurevich. *Gosudarstvennoe strakhovanie v SSSR* (1957), by F. V. Kon'shin, is a comprehensive work on government insurance in the USSR. As a continuation of a new seven-volume work on the Nuremberg Trials¹⁰ the second and third volumes were received: *Prestupleniia protiv mira* (1958) covers crimes against peace, and *Voennye prestupleniia i prestupleniia protiv chelovechnosti* (1958) deals with war crimes and crimes against humanity.

¹⁰ *QJCA*, XVI (August 1959), 220.

WRITINGS ON THE LAWS OF THE SATELLITE COUNTRIES

Collections of basic legislation of the satellite countries, in Russian, and treatises on specific aspects of their laws continued to be published. Works on civil and constitutional law have been recorded before.¹¹ Now the judicial system and the criminal procedure of the satellite countries are covered in *Sudoustroistvo i ugolovnyi protsess stran narodnoi demokratii* (1959), by D. S. Karev and V. P. Rad'kov. The German Democratic Republic's law of contracts and torts was translated into Russian by D. F. Ramzaitsev and edited by D. M. Genkin, as *Grazhdanskoe pravo Germanской Demokraticheskoi Respubliki, obiazatel'stvennoe pravo, osobennaia chast'* (1959). Bulgaria's civil law is featured in *Grazhdanskoe pravo Narodnoi Respubliki Bolgarii, obshchaia chast'* (1958), by Liuben Vasilev, which is actually a Russian translation from Bulgarian. The People's Republic of China is the subject of: *Gosudarstvennyi stroi Kitaiskoi Narodnoi Respubliki* (1959), by R. S. Kondrat'ev and L. A. Grachev, on the government system; *Sushchnost' konstitutsii Kitaiskoi Narodnoi Respubliki* (1958), by A. E. Lunev, on constitutional law; *Ugolovnoe sudoproizvodstvo Kitaiskoi Narodnoi Respubliki* (1959), by V. E. Chugunov, on criminal procedure; and *Osnovnye normativnye akty o mestnykh organakh gosudarstvennoi vlasti i gosudarstvennogo upravleniia Kitaiskoi Narodnoi Respubliki* (1959), a comprehensive collection of laws and decrees on public administration.

WRITINGS ON THE LAWS OF OTHER COUNTRIES

Dogovor v angliiskom grazhdanskom prave (1959), by R. O. Khalfina, treats of contracts in English civil law. India's

¹¹ *QJCA*, XVI (August 1959), 224.

Criminal Code, translated from the English, is presented in *Ugolovnyi kodeks Indii*, edited by B. S. Nikiforov; and India's Code of Criminal Procedure, as of December 1955, translated from the English as *Ugolovno-protsessualnyi kodeks Indii* (1959), was edited by M. IU. Raginskii. *Torgovye dogovory i soglasheniia kapitalisticheskikh stran* (1958), by L. A. Fituni, deals with trade agreements in the "capitalistic" countries. The United States was the subject of *Ocherki po istorii anti-demokraticeskogo zakonodatel'stva SShA* (1958), by B. S. Gromakov, where allegedly "anti-democratic" legislation, especially in the fields of labor and internal security, is "exposed"; and in *Konstitutsiia Soedinennykh Shtatov Ameriki; tolkovanie i primenenie v epokhu imperializma* (1959) G. G. Boichenko analyzes the modern interpretation and application of the Constitution. As a continuation of a series concerned with the governmental system of foreign countries, three additional publications were received: *Gosudarstvennyi stroi Braziliu* (1959), by N. N. Razumovich; *Gosudarstvennyi stroi Gretsii* (1959), by N. I. Kalinin; and *Gosudarstvennyi stroi Liberii* (1958), by E. S. Onan. They cover Brazil, Greece, and Liberia. The governmental system of France, *Gosudarstvennyi stroi sovremennoi Frantsii (4-ia respublika)* (1958), by M. Krutogolov, a more comprehensive work than the above-mentioned serials, was published by the Legal Institute of the USSR Academy of Sciences. *Pravovoe regulirovanie truda pri kapitalizme (do vtoroi mirovoi voiny)* (1959), by V. M. Dogadov, deals with labor laws and legislation in the "capitalistic" countries up to the beginning of World War II. *Kriminalisticheskaiia tekhnika za rubezhom* (1957), edited by B. I. Schevchenko, deals with methods of foreign criminology.

Yugoslavia ¹²

The Yugoslav collection has been increased by some 370 volumes, bringing the total collection to 6,124 volumes. About forty per cent of the new acquisitions represent statutory material.

The federal official law gazette, *Službeni List Federativne Narodne Republike Jugoslavije*, was received unbrokenly, but with some delay.

The Oriental Institute at Sarajevo issued in 1957 the first part of the initial series in the first volume of its *Monumenta turcica historiam Slavorum Meridionalium Illustrantia* (Turkish Monuments Illustrative of the History of the Southern Slavs). The first part of the series of *Zakonski spomenici* (Legal Documents) is entitled *Kanuni i hanun-name za bosanski, hercegovački, zvornički, klički, crnogorski i skadarski sandžak* and contains old Ottoman laws and regulations for the territories of Bosnia and Herzegovina, Klis, Montenegro, and North Albania.

Other collections of laws and regulations include: *Zbirka propisa o trgovini* (Collection of Regulations Governing Commerce), prepared by Dušan Dejanović (1957); *Zbirka propisa o bankarstvu i poslovanju sa bankom* (Collection of Regulations Concerning Banking), prepared by Dušan Lazarević, Miodrag Ugričić, Milutin Stefanović, Rista Janković, and Ratko Filipović (1957); *Opšte uzanse za promet robom sa odlukama iz sudske prakse* (General Usages Effective for the Trade in Goods, Annotated by Court Decisions), prepared by Aleksandar Goldštajn (1958); *Zbirka propisa o spoljnoj trgovini i deviznom poslovanju* (Collection of Regulations Governing Foreign Trade and Exchange), prepared by Žarko Mrkušić (1956); *Zakoni o sredstvima privrednih organizacija*,

¹² Unless otherwise stated, publications listed in this section were issued in Belgrade.

i doprinosu iz dohotka privrednih organizacija i doprinosu budžetima iz ličnog dohotka radnika (Laws on the Financing of State Economic Enterprises, Their Taxation, and on the Income Tax of Their Workers and Clerical Employees), which has an introduction by Mijalko Todorović (1958); and *Zakon o radnim odnosima sa izmenama i dopunama od 28 juna 1958* (Collection of Laws on Employer-Employee Relations) (1958).

Zbirka propisa N. R. Srbije o agrarnoj reformi i o upravljanju sa opšte-narodnom imovinom (Collection of Rules and Regulations on Communist Land Reform in Serbia and on the Administration of People's Property) includes a commentary by Bogdan Majstorović and Borivoj Rerih (1956).

Among the volumes of non-statutory material, a number are worthy of particular mention.

Bibliographie juridique yougoslave is a Yugoslav legal bibliography which was prepared by Borislav Blagojević and published in French by the Belgrade Institute for Comparative Law in 1959.

A collection of speeches made in the Dalmatian Diet by the late Juraj Biankini was published at Zadar in 1892 under the title *O upravi Dalmacije, Govori izrečeni na Dalmatinskom Saboru u zasjedanju godine 1892*. Biankini (1847-1928), an outstanding pro-Yugoslav Croatian leader, was a member of the Dalmatian Diet from 1881 for nearly 40 years and of the Imperial Council in Vienna for nearly 30.

Opći dio građanskog prava (Zagreb, 1959), by Mihailo Vuković, is a work of jurisprudence serving as an introduction to the new Communist Civil Law.

Mišljenja o predosnovi Građanskog zakonika za Kraljevinu Jugoslaviju (Zagreb, 1937), by Bertold Eisner, provides an analysis of the Yugoslav Civil Code draft which was prepared by the Government before World War II.

Problem ekvivalentnosti u obligacionom pravu (1958), by Živomir Djordjević, with a summary in French, is a monograph dealing with the problem of consideration in contracts.

Priručnik građanskog prava II. Obvezno i nasljedno pravo (Zagreb, 1958), is a mimeographed edition of the second volume of Boris Vizner's lectures at Zagreb Law School on contracts and inheritance law.

Borislav Blagojević's *Nasledno pravo FNRJ s osvrtom na prava drugih država* (1958) is the second edition of another handbook on current Yugoslav inheritance law, with many references to the inheritance laws which were formerly effective in the various Yugoslav territories as well as in other countries.

Vojislav Spaić's *Autorsko pravo* (Sarajevo, 1957) is a detailed study of copyright.

Položaj građana i organizacija u upravnom postupku (1957), by Nikola Stjepanović, is a monograph on administrative procedure.

Velimir Ivančević's *Zakon o upravnim sporovima s komentarom i sudskom praksom* (Zagreb, 1958) provides a commentary on the Law on the Judicial Control of Administrative Acts, annotated with court decisions.

Kreditni sistem u FNRJ (1957), by Miloš Vučković, is a study of the problems of credit in a Communist country.

Dokumentarni akreditivi kao instrument medjunarodnih plaćanja (1956), by Leo Pretner, is a monograph on the role of letters of credit in international trade.

Medjunarodno transportno pravo. Osnovi pomorskog i željezničkog prava o prijevozu stvari, s osvrtom na izvore za transport u unutrašnjim vodama i u cestovnom saobraćaju (Zagreb, 1957), by Vladislav Brajković, is a compendium of the lectures on shipping by sea, rail, internal waterways, and roads that were given

by the author at the Zagreb School for Foreign Trade in 1956-57.

Social Government in Yugoslavia (1957) is an English-language abstract on the socio-political organization of the Federal People's Republic of Yugoslavia, published by Information Service Yugoslavia.

Samoupravljanje proizvođača u privredi (1958), by Pavle Kovač, is a monograph on the role of representative bodies of producers in the Yugoslav economy.

Pravni položaj Inspekcije Rada u FNRJ u vršenju nadzora nad primenom propisa iz radnog zakonodavstva (1958), by Teofil Popović, is a study of the role of the Labor Inspectorate in the implementation of labor rules and regulations.

Osnovi krivičnog prava i krivičnog postupka (1958), by Spasoje Miličević, represents a work of jurisprudence based on the Criminal Code and the Code of Criminal Procedure.

Osnovi kaznenopravnog sistema FNRJ (1958), by Jovo Crnogorčević, provides an introduction to the current system of criminal law in Yugoslavia.

Zloupotreba službenog položaja ili ovlašćenja (1958), by Miloš Radovanović, is a study of malfeasance in office.

Milan Dokić's *O privrednim prestupima* (1957) is a study of so-called economic offenses.

Novi penziski sistem u Jugoslaviji (1958), by Nikola Dilber, provides a systematic compendium on current provisions governing retirement pensions.

The Far East

REPUBLIC OF CHINA¹⁴

Important legal gazettes from Taiwan have been received quite regularly. Among those which the Far Eastern Law Division relies on for keeping abreast of

the current legislation of the Central Government in Taipei are *Tsung t'ung fu kung pao* (Official Gazette of the Office of the President) and *Li fa yuan kung pao* (Official Gazette of the Legislative Yuan). The library also added to its collections the recent issues of *Fa lü p'ing lun*, the most respected and widely read Chinese law review, formerly edited by HSIA Ch'in, late Chief Justice of the Supreme Court of China. This journal, after a brief interruption several years ago, has been resumed by the jurist's disciples.

Three legal monographs of the *Szu-fa t'sung shu* (Juridical Series), sponsored and published by the Ministry of Justice, are worth mentioning. *Hsing shih tse jên chih li lun yen chiu* (1957), by HAN Chung-mo, is an interesting discourse on the theory of criminal liability. Professor HAN, chairman of the law department of the National Taiwan University, makes a comparative study of the principles of criminal liability in civil law and common law. He gives a succinct analysis of the theories pertaining to the acts of commission and omission, the objective and subjective standards of morality, foresight of the consequences, intention, recklessness and negligence, and vicarious liability. Variations in liability, such as by mistake, intoxication, compulsion, and legally abnormal persons are also briefly discussed. Those who are interested in Chinese criminal law will find Professor HAN's concise presentation of the Chinese theory of criminal liability, as compared with that of Anglo-American law, especially informative.

Yin Mei chi yüeh fa lun (Contracts in Anglo-American Law, 1956), by YAO Chi-ch'ing, enables Chinese lawyers to acquire basic concepts of this important field of law in common-law countries. Chinese translations of contract-law terminologies, some of which were coined by the author, would be very useful to those who want to ex-

¹⁴ Unless otherwise stated, publications mentioned in this section were issued in Taipei.

press the principles of Anglo-American law in a language which can be easily understood by a Chinese lawyer. A monograph of a similarly introductory nature, *Ying Mei ch'in ch'üan hsing wei fa k'ai shu*, by Ho Hsiao-yüan, is a brief survey of torts in Anglo-American law. Provisions pertaining to torts in the Chinese Civil Code are often cited for comparison when a specific topic of torts in common law is discussed.

SHIH Chih-ch'üan's *Min shih su sung fa shih i* (1956), is probably the most authoritative treatise on Chinese civil procedure.

Mr. SHIH, a former vice president of the Judicial Yüan and a former professor of law at the National Peking University and the Chao Yang College of Law, died in the early part of this year. It is of interest to note that the Chinese Code of Civil Procedure, in the opinion of Dean Pound, is "very well framed, advanced, flexible and simple" and "follows largely the Austrian Procedure." Professor SHIH's profound and authoritative commentary on civil procedure can be found on the bookshelves of every judge, practitioner, and law professor, and is one of the most frequently quoted legal works in court decisions.

A very readable textbook of copyright law, *Chu tso ch'üan fa lun* (1954), by SHIH Shang-k'uan, should be of interest to some American lawyers whose clients include large publishing firms with interests in the Far East. It has been reported that such American standard reference works as the *Encyclopaedia Britannica*, *Webster's Collegiate Dictionary*, and a number of American popular best-sellers have been pirated and reproduced in Taiwan and are sold not only locally but also in Hong-Kong, Macao, and the large cities of Southeast Asia at a fraction of their price in the United States. Steps have been taken by American lawyers to seek protection of the copyright of American books under the Chinese law. This text is

by far the most succinct presentation of important features of the Chinese copyright law and is a useful guide for Chinese lawyers.

YANG Yu-ch'üang, a member of the Chinese legislature, has brought out a well-written modern legal history, *Chung-kuo chin tai fa chih shih*. He gives a readable description of early constitutional movements. Among the important documents analyzed are: Principles of the Constitution, August 27, 1908; Provisional Constitution, March 11, 1912; Fundamentals of National Reconstruction, April 12, 1924; Provisional Constitution of the Political Tutelage Period, June 1, 1931; Draft Constitution, May 5, 1936; Regulations for the Organization of the Committee for the Establishment of Constitutional Government, October 19, 1947; and the Constitution of the Republic of China, January 1, 1947. The chapter on legal thought governing the legislative policy of the National Government is illuminating. The author stresses that the Chinese legal system has gradually attained a uniform development and unique homogeneity. Western schools of legal thought as driving forces in the development of the modern Chinese civil and criminal codes are also featured.

One of the most welcome acquisitions from Taiwan is *Liu fa liu yung hui p'ien* (Compilations of Six Kinds of Materials Relating to Six Codes, 1958) a six-volume comprehensive manual for the legal profession. All the important statutes, Judicial Yüan interpretations, Supreme Court decisions, and research reports on certain aspects of law published by the Ministry of Justice are exhaustively incorporated in this compilation. MEI Chung-hsieh, the senior coeditor of this highly useful handbook, is an outstanding expert on the civil code and has taught that subject at the National Cheng-chih University and the

National Taiwan University for almost three decades.

MAINLAND CHINA¹⁵

The Library has acquired a photocopy of the national bibliography of legal writings published in Communist China, covering the period 1949–58, which is a part of the national bibliography of the People's Republic of China. This legal bibliography, which lists exhaustively all law books published in Mainland China since the Communists came into power in 1949, is an invaluable reference tool for students of Communist Chinese law.

Probably the most important acquisition of law books of Communist Chinese origin acquired during the year is a textbook on civil law, *Chung-hua jên min kung ho kuo min fa chi pen wên t'i* (1958), compiled by the Civil Law Instruction and Research Office of the Central Institute for Political and Legal Cadres, the most important training school for judges, court clerks, and other legal workers of the Peking Government. Since this book is the most authoritative and comprehensive treatise on Chinese Communist civil law in existence, it should be studied carefully by all scholars who take an interest in the development of the legal system of Communist China. The textbook covers a wide range of topics, including the Chinese Communist concept of civil law in general, the application of civil law, persons, juristic acts, agency, statute of limitations, rights about things, obligations, contracts, torts, and succession. As a legal system, it is a clear mirror reflecting what a society stands for, for all those who want to study Communist China, the land of a quarter of the human race and the junior member of the Moscow-Peking axis, and who should have some understanding of her legal system—and her concepts of law and

justice. As is known to all specialists in Chinese Communist law, materials of Mainland origin are very difficult to obtain. Therefore this text is perhaps the most welcome addition to the Far Eastern law collection during the entire year.

The Library has also received a copy of *Chung hua jên min kung ho kuo fa kwei hsüan chi chu wen* (1958), which is issued to the Chinese Communist judicial cadres to keep them informed of the latest revisions and amendments of statutes and regulations in force.

Chung hua jên min kung ho kuo fa kwei hsüan chi (1957) is a compilation of selected laws of Communist China. The Library has received a copy of the supplement (1958) to the original volume. The importance of the main book and its companion volume can be seen from the red characters on the covers, which read "Required for all legal workers."

Another important law book from Mainland China is *Ch'ing shih kao hsing fa chieh chu chieh* (Annotation to the Part on Criminal Law in the Draft of the History of the Ch'ing Dynasty, 1957). This annotation is the fruit of the study carried out by a group of specialists in the Office of Research in Legal History, an organ of the Codification Bureau of the State Council. The original text of the part on the history of criminal law consists of three chapters: A survey of the legal systems of various dynasties and the history of codification of the Ch'ing dynasty; a historical account of crime and punishment; and a description of trial, prison administration, and amnesty. Although ideological elements were frequently injected into the annotation, students of Chinese legal history will find this book an invaluable aid for study, since the original text, written in classical style, is very difficult to read for persons not familiar with the syntax and terminology of the Chinese classical literature.

¹⁵ Unless otherwise noted, publications mentioned in this section were issued in Peking.

In 1959 the Library received four issues of *Chêng fa yen chiu* (Political and Legal Research), an authoritative legal journal published in Peking. The importance of the rectification campaign in legal circles has been emphasized in most of the articles written by procurators, judges, and judicial administrators. It was reported in the journal that many rectification meetings for legal works have been held in the past two years.

JAPAN ¹⁶

The Library continues to receive regularly government publications, such as the *Hôrei zensho* (Law Directory), *Kampô* (Official Gazette), either in bound or looseleaf form, and records of the Kokkai (Diet), including various committee hearings. They furnish up-to-date and primary information concerning recent legislation in Japan. In addition to the above, the Library acquired more than 10 different editions of the *Roppô zensho* (Compendium of Six Codes), issued by various private publishers. Among them, one by the Yuhikaku is the best of its kind.

In an effort to aid readers of the *Roppô zensho* in finding laws and regulations, the Yuhikaku published *Genkôhōrei no keihu* (Genealogy of Laws and Ordinances) in 1958. The book is comprised entirely of indexes listing about 1,100 presently existing laws, and 430 other important decrees and ordinances which are classified according to chapters of the *Roppô zensho*. The book traces to their roots all laws and regulations of the postwar period, showing how they arrived at their present form, after going through a series of amendments. The book also contains: (1) a table illustrating in what session of the Diet since the Meiji era a specific law was passed; (2) changes of the Cabinet; and (3) the promulgation number of each statute. It also

includes a list showing the date on which particular laws (except treaties) will be repealed in the future. Although a similar attempt was made in the past, this is the first book published by Yuhikaku to supplement the *Roppô zensho* to guide law students, jurists, and practitioners in tracing Japanese law.

The Library also received several special editions of *Roppô zensho* on particular subjects. Included among those received were: *Rôdô roppô* (on labor), compiled by AZUMA Mitsutoshi, 1958; *Kyûyo shô roppô* (Salary), by GAKUYÔ Shobô, 1960; *Shakai hoken shô roppô* (Social Security), by Zenkoku Shakai Hoken Kyôkai Rengôkai, 1959; *Kin'yu shô roppô* (Finance), by GAKUYÔ Shobô, 1960, and *Chihô jichi shô roppô* (Local Autonomy), by GAKUYÔ Shobô, 1960.

Four volumes of *Kin'yu hôki ruishu* (A Collection of Financial Laws and Regulations), compiled by KIN'YUHÔ Kenkyûkai in 1958, include all laws and regulations concerning financial affairs.

Ryûkyû hôreishû (A Collection of Ryukyu Laws and Regulations) and *Ryûkyû hôreishû: fukoku fureihen* (A Collection of Ryukyu Laws and Regulations Pertaining to Proclamations and Ordinances of the United States Civil Administration) compiled by the Secretariat of the Legislature in 1959, are the up-to-date primary sources for law of the Ryukyus.

Loose leaves for 34 volumes of *Genkô hôki sôran* (Collections of Laws and Regulations) were regularly received whenever new laws or amendments of laws were passed. A similar looseleaf service has been added to the *EHS Law Bulletin Series*, one of the most reliable Japanese law collections in English, published by Eibun-Horei-Sha.

The tremendous yield of legal publications which has been produced in recent years in Japan is also reflected in volumes

¹⁶ Unless otherwise noted, publications mentioned in this section were issued in Tokyo.

in English on Japanese laws, received during the year.

The Library has recently acquired five volumes of an English edition of Japanese laws published by the Supreme Court of Japan. They were: *The Constitution of Japan and Criminal Statutes* (1958); *Outline of Criminal Justice in Japan* (1959); *Outline of the Japanese Judicial System* (1959); *Recent Developments in the Field of Criminal Justice in Japan* (1959); and *Guide to the Family Court of Japan* (1959). *Democratization of Judicial Administration in Japan* (1959), by the Chief Justice of the Supreme Court, TANAKA Kôtarô, and *Japan Labor Legislation*, by the Ministry of Labor, are also welcome additions.

The English edition of the *Japanese Annual of International Law*, a publication of the Japan Branch of the International Law Association, is among new periodicals acquired. The Library received vol. 2 (1958), and vol. 3 (1959).

In addition to articles on topics of international law and the conflict of laws, this journal contains translations of documents concerning Japan's foreign affairs, and a chronological list of postwar treaties and other international agreements, as well as translations of many Japanese court decisions in the realm of public international law and the conflict of laws since 1952. Those cases dealing with the interpretation of Article 117 (3) (a) (ii) of the Administrative Agreement entered into under Article 3 of the Security Treaty between Japan and the United States are of particular interest. They are *Japan v. Girard*, *Japan v. Cheney*, *Tokyo Civilian Open Mess Case*, etc.

In view of the fact that the new Security Pact was agreed upon in 1960 between Japan and the United States, research into constitutional law topics such as constitutional amendment, judicial review, and the relationship between constitution and

treaty took place in academic circles. The recent issues of *Jurisuto*, *Hôritsu jihô*, and *Hanrei taimusu*, which the Library acquired regularly, feature these subjects. In particular, the Sunakawa Jiken case (in which temporary stay by U.S. Armed Forces was held unconstitutional by the Tokyo District Court and this decision was finally overruled by the Supreme Court in December 1959) was the most debatable topic for a long period of time.

The Library has acquired some 300 back issues to fill gaps in files of 20 important periodicals. Included among the titles were: *Shihô*, *Hôgaku shiryô Kôhō zasshi*, *Hôgaku ronsô*, *Hôgaku kyôkai zasshi*, *Hôritsu jihô*, *Waseta hôgaku*, and *Keisatsu jihô*.

In addition to the above, some new serial titles were added to holdings of legal periodicals. They were: *Chihô jichi*, *Kanazawa daigaku hôbungakubu ronshu*, *Kenshû*, *Jikei*, *Kikan rôdôhō*, *Bôhanbu nempô*, *Keisatsu hôritsu jiron*, *Waseta hôgakkaishi*, *Hôritsu hyôron*, *Kokkai junpô*, *Keisatsu shimpô*, *Hôgaku kenkyu* (Hitotesubashi Daigaku), *Taihô geppo* (Taiwan), *Hôin geppo* (Taiwan), *Ryudai hôgaku* (the Ryukyus) and *Nyu polis* (the Ryukyus).

Two volumes of *Hanrei rôdôhō no kenkyu* (A Study of Cases on Labor Law), compiled by YANAGAWA Masao and four associates in 1959, are casebooks for university students as well as practitioners. The authors point out that the labor relations of Japan have characteristic features, that collective agreements are also peculiar to Japan, and that they cannot be treated by European or Anglo-American theories. Nevertheless, they stress that the role played by case law in the realm of labor relations has been most important in the past 10 years.

In an effort to formulate a systematic theory from actual cases, facts are well presented throughout the books. More

than 1,100 decisions of the Supreme Court and the lower courts which were handed down between 1947 and 1958 were cited. Only four pre-1947 cases were included.

Rôdô kijunhô kankei hanreishu (A Collection of Cases Concerning Labor Standard Legislation), compiled by RÔDÔHÔREI Kenkyukai in 1959, is a sister edition of the above book. It includes 908 cases involving administrative interpretations and 190 court decisions.

Another interesting casebook is *Hanrei kempôgaku* (Cases on Constitutional Law), compiled by TABATA Shimbu in 1959. The explanations and criticism of the relevant cases in the author's annotations are arranged under provisions of articles of the Constitution. After a brief commentary on each constitutional provision, article by article, in Part I of the book, 462 decisions of the Supreme Court, 119 of the High Courts, and 40 of the District Courts are cited in Part II.

Saikô saibanshô minpô hanrei yôyaku (1958), by YUNOKI Kaoru, is an annotated casebook on the Supreme Court decisions involving civil cases. Each case listed in 10 volumes of *Saikô Saibanshô minji saiban reishû* (A Collection of Court Decisions on Civil Affairs of the Supreme Court) is well briefed under such headings as "The Gist of the Decision," "Fact," "Reason," and "Pertinent Provisions of Laws."

Shôhyô to Shôhyôhō (Trademarks and Trademark Law), by FUJIHARA Ryûji, issued in 1959, is an authoritative work in its field of law. This book aims at studying trademarks from economic and legal points of view. On the other hand, it attempts to analyze laws and treaties pertaining to domestic and international protection of trademarks. It consists of five chapters: on economic development and trademarks, the trademark law of Japan, postwar measures concerning trademarks, international protection of trademarks, and the trademark law of foreign

countries. Another comprehensive work is *Shin tokkyôhō* (New Patent Law), by MITSUISHI Shirô, issued in 1959. This book is concerned with the origin and vicissitudes of the patent system of the major foreign countries such as the United States, Germany, France, and the USSR, as well as the interpretation and principle of operation of Japan's patent law, which was put into effect on April 1, 1960. It comprises five chapters: an introduction, substantive patent law, procedural patent law, punishment, and international patent.

The Library has also acquired various commentaries on special legislation relating to social security. Among them were: *Onkyûhō* (The Pension Law), compiled by ÔNKYÛSEIDO Kenkyukai in 1957; *Kokka kômuin nado taishoku teatehō shôkai* (A Commentary on Retirement Compensation for National Public Servants), by KISHIMOTO Shin, 1959; *Kokumin nenkinhō no kaisetsu* (A Commentary on National Annuity Law), by Koyama Shinjirô, 1959; and *Kenkô hokenhō kôsei nenkin hokenhō* (Health Insurance Law and Welfare Annuity Insurance Law), compiled by Kôseishō Hokenkyoku (Insurance Bureau of Ministry of Welfare) in 1959.

Tennosei no kenkyû (A Study of the Tenno System), 1959, by YAMAZAKI Tanshō, deserves attention. Although there are a number of commentaries on constitutional law where the Tenno system has been discussed in the past, this book, as shown in the title, is devoted wholly to the Tenno system. In an effort to defend the Tenno system under the new Constitution, the author makes a historical analysis in eight chapters, on the following: the founding of the Japanese nation and establishment of the Tenno system; the ancient period; the middle age; the modern period; the Meiji Renovation; the Tenno system under the Meiji Constitution; background of the Tenno system under

the new Constitution; and the Tenno system under the new Constitution.

Raising the question whether an emperor who has no political power under the new Constitution can be the symbol of the State, the author points out that the question is one to be answered in the affirmative, serenely and objectively, on the basis of historical observation.

Mention should be made of *Kempô jiten* (Dictionary of the Constitution), by Kiyomura Shiro, issued in 1959. This dictionary form of reference book was adapted from the previously published *Kempô* (Constitution) of the "Law Handbook" series (1957). This conveniently arranged book is particularly useful to students for a review of salient points of the Constitution. For the study of the theoretical background of constitutional law, *Kempô no shisôteki teiryû* (Underlying Thought of the Constitution), by Ochiai Isamu (1958), is useful. The author states that the old Constitution was based on legal positivism, whereas the new Constitution embraces natural-law doctrine.

Rôdô Kijunhô ron (Discourse on Labor-Standard Law), by Nishimura Nobuo and other scholars, is the first systematic study of the labor-standard law since it was promulgated 12 years ago. The book discusses the significance and essence of the labor-standard law as "laborer protection law" in its general introduction; it then deals, under separate headings, with the legal nature of labor agreements, the legal formation of wages, wages and dispute tactics, and the workmen's compensation system. Theoretical emphasis is found throughout the book.

Sengo hôritsu taisei no dôkô (The Trend of the Postwar Legal System), by Ôhira Zengo and five others, issued in 1957, is the third monograph in the lecture series of Hitotsubashi University. It contains the most controversial topics of the postwar

period, such as the formation and revision of the peace treaty, the revision of police law, future labor movements and labor legislation, the influence of Anglo-American law on postwar Japan, the direction of the revision of criminal law, and the trend of the postwar commercial law.

Hôjinsei no riron to jitsumu (Theory and Practice of Corporation Law), by Ichimaru Kitsuraemon, published in 1959, is a manual for taxpayers in interpreting the overall taxation reform legislation of 1950. *Shinsen zeihô jiten*, edited by Shihozaki Jun in 1958, is a dictionary of tax law terminology.

Katei hôritsu zensho (A Manual of Family Law), by Ôsawa Ichiroku (1959), was written to help the public understand legal problems arising from family relations. The book discusses, in general, the fundamental principles of the civil and criminal codes which affect daily life. It deals in particular with such important topics as the relation of husband and wife, parents and children, or a leased house and land. The greater emphasis is placed on the practical aspect, i.e., how cases are handled in courts, rather than how they should be decided on theory.

Rikon (Divorce), compiled by Nakagawa Zennosuke in 1958, is the third volume in the monograph series entitled *Kazoku mondai to kazokuhô* (Family Problems and Family Law). Like the other six volumes, the book attempts to clarify the following points: the impact of social change, particularly the bourgeois revolution, on the family system; the impact of the Meiji Renovation on family life in Japan; the characteristics of the role played by Japanese law, especially by family law; present status of the family system under the postwar law; and future problems.

Kon'in jiken soshô no kenkyû (A Study of Divorce Litigation), by Mita Kôsaburô (1955), is concerned with both substantive

and procedural aspects of divorce, with particular reference to legislation, theory, and court decisions of foreign countries.

Two revised authoritative books on the criminal and civil procedures are also among current materials acquired. *Minji soshôhō taiki* (Law of Civil Procedure), by KANEKO Hajime (1959), is the tenth edition of a book which first came out in 1954, and *Keiji soshôhō* (Law of Criminal Procedure), compiled by DANDO Shigemitsu and five other prominent scholars, is an entirely revised version of a 1954 edition.

A Catalogue of the Law Collection in the Supreme Court Library, published in the English language in 1959, and *Hôbun hôritsu zasshi kiji sakuin* (An Index to Japan's Vernacular Legal Periodicals), compiled by the Saikô Saibanshō Toshokan (The Supreme Court Library) in 1959, merit attention. The former is concerned with foreign law books represented in the Supreme Court collections up to March 1958. The latter lists only Japanese legal periodical holdings.

KOREA ¹⁷

The highlight acquisition of Korean law materials was perhaps a collection of 29 volumes of legal classics compiled during the Yi Dynasty (1392–1910), together with five volumes of Korean classics translated into Japanese and printed in Japan. The former are original copies, either handwritten with brushes or printed with wood-block letters, and the latter were reprinted by the modern method and published by the Governor General's Office during the period of the Japanese occupation.

The original 29 volumes are considered to be rare books in the field of Korean law. Included among those received were: four volumes of *Kyōngguk taejōn* (1468), and

Kyōlsong yuch'i (1650); four volumes of *Tae myōngnyul kanghoe* (1822); five volumes of *Taejōn hoetong* (1865); and five volumes of *Taejōn tongpyōn* (1785). *Kyōngguk taejōn* (1468) is noted for giving the first comprehensive codes under the Yi Dynasty. In 1461 King SEJO initiated the compilation of the Finance Code and Criminal Code, resulting in the final promulgation of six codes in 1468. *Kyōngguk taejōn* was subsequently revised in 1470, 1471, 1474, and 1485. The Library received four volumes of the 1485 revision. *Kyōlsong yuch'i* is concerned with legal procedure, whereas *Tae myōngnyul kanghoe* is a commentary on *Tae myōngnyul*, which contained laws and regulations of the Ming Dynasty of China.

Taejōn tongpyōn consists of *Kyōngguk taejōn* and the subsequent enactment of laws and regulations and the King's orders up to 1784. *Taejōn hoetong* includes not only all the laws and regulations compiled in *Kyōngguk taejōn*, but also all statutes promulgated after the publication of *Kyōngguk taejōn*.

In addition to the above, the Library received five volumes of Korean legal classics with the Japanese grammatical marks added for Japanese readers. These early Korean treatises, originally handwritten, were made available in printed form by the Privy Council of the Governor General's Office during the Japanese occupation. They are: *Sok taejōn*, *Sugyojip*, and *Sok taejōn songnok*. *Sok taejōn* was originally published in 1744. It is the revised edition of the aforementioned *Kyōngguk taejōn*, with insertions of various Kings' orders.

The Library has received irregularly current publications of the Government, such as *Kwanbo* (Official Gazette), *Kukhoe sokkirok* (National Assembly Records), and *Pōpnyulchip* (A Collection of Laws and Ordinances). Comprehensive collections of laws and presidential decrees

¹⁷ Unless otherwise noted, publications mentioned in this section were issued in Seoul.

of the Republic are found in the revised edition of 10 volumes of *Hanguk pöpn-yöngjip*, issued by Hanguk Pöpn-yöng Pyunchan-hoe, and the newly published three volumes of *Taehan minguk pöpn-yöngjip*, from Taehan Haengjông Hakhoe.

The Library also received the English edition of *Kwanbo*, unofficially translated by the Korean Legal Center in Seoul. It is undoubtedly a valuable asset to those Westerners who are interested in modern Korean law.

As the new Korean Civil Code which was promulgated in 1958 became effective as of January 1, 1960, there were a large number of timely publications explaining and commenting on each chapter of the Code, i.e., general provisions, real rights, claims, relatives, and succession. This is the fourth major code to supersede the old Japanese code since the founding of the Republic in 1948. A commentary on marriage law under the new code, *Sin honin-pöpp yöngu* (1958), by KIM Chu-su, deserves mention. The author makes a comparative study of the old Korean customary and the new statutory laws. The same comparative treatment of the Civil Code is also found in *Sin minpöpp haeui: mulk-wönpöpp* (A Study of Real Rights), by KIM Yong-jin. Mention should also be made of KIM Chung-han's article entitled "Som-yöl sihyo wansöng ui hyokwa" (Effects of Extinctive Prescription under the New Civil Code of Korea), in the *Seoul Law Journal* of December 1959.

For students of constitutional law and administrative law, particularly those preparing for the Korean bar examination, a book by HAN Tae-yön entitled *Hönpöpp haengjöngpöpp munje yöngu* (1959) is useful. Some 90 important legal problems are presented in the form of quizzes and then answered in detail, with the author's commentary under each question.

A textbook on labor law entitled *Nodong pöphak* (1959) was compiled collectively

by six labor law scholars. In view of the fact that labor law is a relatively new academic discipline in Korea, the book is considered to be a major pioneer work in this field.

A group of specialists of various fields of law, under the editorship of Dean YU Chin-ho, compiled *Tae pöppjön* (1959), containing all laws and decrees presently effective. The contents are grouped into 17 sections according to subject.

The Library also received the English editions of two major compilations identically entitled *Selected Laws and Regulations*, issued by the Secretariat of the House of Representatives of the National Assembly, and by the Ministry of Reconstruction. The former confines itself to laws and regulations pertaining to the National Assembly, while the latter is concerned with those relating to reconstruction and foreign economic aid to Korea.

For the study of international law, there are *Kukchepöpp sinkang* (1959), by YI Hyo-jun, and *Hyöndae kukchepöpp ch'ek* (1959), by KIM Ki-su. Another book in the same field, entitled *Kukche yönhap kaesöl* and published in 1959, is the work of YI Wön-u. For criminal law, *Hyöngpöpp kangui: ch'ongnon* (1959) by OK Cho-nam, and *Hyöngpöpp kangnon kangui* (1959) by YÖM Chöng-ch'öl, merit attention.

For criminal procedure, *Hyöngsa so-songpöpp* (1959), by KIM Ki-du, is noteworthy. *Pöphak inmun* (An Introduction to Law), by HWANG Sang-dok, published in 1958, is a standard textbook for beginning college students. With introductory remarks on jurisprudence and modern legal thought, it covers eight different branches of law.

Suhyöngpöpp sojölupömm-non (Discourse on Bills of Exchange, Notes, and Checks), by CHONG Hi-ch'öl, published in 1958, is a textbook emphasizing the need for the revision of the present commercial code.

In view of the fact that the Japanese commercial code is still effective in Korea, the author makes a critical analysis of the present code in order to meet the problems arising from the Korean civil code which has recently been put into effect, repealing the previous Japanese civil code. Another recent publication by the same author is *Sangpōp: haesapōp bohōnpōp* (Commercial Code: Corporation Law and Insurance Law), issued in 1959.

Compared with preceding years, there was some improvement in the collection of new serial titles. For instance, *Ch'amgo jaryo*, *Ippōp jaryo*, and *Yōngu jaryo*, compiled by Minuiwōn Samuch'ō (the Administrative Office of the National Assembly) were added. They are concerned with a comparative study of laws pertaining to legislation, administration, election, and the like, in various countries. A leading law school journal, *Pōphak*, previously known as *Pōptae hakbo*, published by Seoul National University, has also been received.

Another new serial title acquired by the Library is *Tukho kongbo* (The Patent Gazette), issued by the Patent Office. Nos. 51 to 55 were received. *Pōpnyōng kongbo ilnam pyo*, issued by Pōpchēsil (Codification Office), is a collection of tables listing all laws, presidential decrees, ministerial ordinances, administrative regulations and treatises. They are arranged by chronological and numerical order, covering all important laws issued up to the end of August 1959.

THAILAND¹⁸

Two periodicals, *Rātkitčhā nubēksā* and its English translation, *Royal Thai Government Gazette*, continued to come in regularly during the year. The Thai edition is published and distributed by the Office of the Prime Minister, while *Royal Thai*

Government Gazette is owned and published by International Translations of Bangkok.

Publishing of law books in Thailand is done neither on a large scale nor on a regular basis. Since the legal lecture materials, commentaries, treatises, and the like published by the Thammasat University Press dominate the market for legal materials, only a few titles from other private publishers can be expected. This is the result of the situation in Thailand, as the country has been under a state of martial law since October 1958. The appointed Constituent Assembly now functions as the legislative body in accordance with the Interim Constitution. It is understood that laws and statutes passed during the period tend to be "emergency" ones which may not be worth the effort of publishing any commentaries or annotations.

Considering the situation, acquisition activities of the past year should be viewed as an improvement over the earlier period. *Kham athibāi lae priaphthiāp kotmāi Thai kap tāng prathēt nai rū'aing laksana phayān* (Commentary on the Law of Evidence and Procedure, with Comparative Studies of Thai and Some Foreign Laws) by Ōsor Kōsin (1958), is one of the most comprehensive legal standard texts in existence. The book contains lengthy discussions of the general principles of laws of evidence, accentuating the comparative study of Anglo-American practice and of Thai laws.

For many centuries Thailand adopted the accusatorial system for proof of facts, and it was slowly merged with the inquisitorial system at the turn of the eighteenth century. Until the year 1896, the royal act was used to abrogate all inquisitorial systems, some of which were barbarous. It can be said that since the year 1896 only the accusatorial system has been applied in Thailand. The author's great contribution to this field of study is his profound

¹⁸ Unless otherwise noted, publications mentioned in this section were issued in Bangkok.

discourse on the theory of evidence and his analysis of cases selected from the Thai Supreme Court's decisions.

Kham athibāi kotmāi phayān lakthān (The Law of Evidence), annotated by police colonel PHAT Nilwatnānon, is written in clear and simple language and is therefore convenient for quick reference.

Another book on the law of evidence received during the year is *Kham athibāi kotmāi laksana phayān* (Treatise on the Law of Evidence) by PRAMŪN Suwansōn. The author has lectured on the subject in the Law School of Thammasat University for years, in addition to his regular post as the senior judge of the Court of Appeals. Because of his qualifications and experience, the treatise is considered an authoritative work by Thai legal scholars.

The law of evidence is said to be the oldest law in complete form ever known to Thailand. The old act of evidence survived for over 500 years, since the early period of Ayuthia (1350-1767). It was repealed and replaced by another act in 1894, issued during the reign of King CHULALONGKON (1868-1910), whose august father MONGKUT was the King referred to in *Anna and the King of Siam*. The law of evidence did not find its proper place until the two procedural codes, criminal and civil, were drafted and promulgated in 1935, wherein the law of evidence was finally integrated.

A unique law book recently published and received is *Nangsū'lak nitiphāsīt* (General Principles of Law Through Legal Maxims), by LŪANG Sakol Sattayāthōn. The author made a collection of 215 legal maxims in Latin, with English and Thai translations, and devoted one annotated section to each maxim. Some but not all of these legal maxims are familiar to law students who have taken courses in jurisprudence, juristic acts, contracts, evidence, conflict of laws and like subjects. This is

the first comprehensive collection of legal maxims in the Thai language.

Taxation laws of Thailand are briefly analyzed in connection with a discussion of tax theory and practice in a 1957 book, *Thru'sdi phāsī lae thāng patibat* (Tax Theory and Practice), by BUNCHANA Atthākōn. In this outline of tax laws, the author says that law is a tool for an administrator, not an end in itself. Only his "skill and art" can achieve the objective, not the letter, of any law.

A valuable addition to the Thai collection is a 1959 edition (revised) of *Kham athibāi pramūan kotmāi phāeng lae phānit bap nūng sōng matrā nūng thu'ng sōng rōi sī sip* (Annotation of the Civil and Commercial Code, Books 1 and 2, Sections 1 to 240), by the late PHRAYĀ Thēpwithūn. The author, known to lawyers as one of the few pioneers of the Thai legal profession, left his work unfinished. His citations cover the civil codes of Germany, France, Switzerland, Japan, and Brazil, and books of several English authorities. His first book of this series was published in 1933.

Practitioners in pre-code days (before 1923) had difficulties in having no written provisions to help solve their problems. Although the code gave them keys, they could unlock it only with the help of the annotated code that was worked out by the author, who paved the way for a modernized legal system in Thailand.

The author of *Commentary on the Law of Evidence and Procedure, with Comparative Studies of Thai and Some Foreign Laws*, Ōsor Kōsin, also finished the first part of his *Kham athibāi pramūan kotmāi āyā phāk nūng lem nūng* (The Penal Code Annotated, Part One, Book One), published in 1959 by The Police Academy of Investigation. The book reflects his attempt to interpret the Penal Code of 1956, which superseded the old code of 1908. In fact, it is a revised edition of lectures given at the Police Academy of Investigation in

Bangkok. The author reminds his students of the intensive modification in the new code as compared to the repealed code, especially in phraseology and terminology. The Supreme Court's decisions, based on the old Penal Code, must be cited with great care. He states that, in case of doubt, citation of decisions rendered under the old code should be excluded. In line with that viewpoint, the author then makes his approach through comparative studies of the old and new laws in sequence, and examines various offenses as provided in the 1956 code. However, because the primary purpose of the book is to be a manual for police investigation officers, he makes detailed annotations on petty offenses and specific offenses in order to point out their difference.

The reasons for the modifications of the old code as contained in the new code can be summed up as follows:

Phraseology: The repealed code, enacted during the absolute monarchy regime, was based on the notion of "I am the State." The phraseology in the old law no longer reflected the pattern of society after the regime was changed to a constitutional monarchy in 1932.

Terminology: As a nation undergoing development, Thailand is inclined to absorb more Western terminology. The repealed code had presented many problems; for example, it neither defined nor used the term "document" properly. In vernacular, the terms "writing" and "letter" were used in place of "document," the word later on adopted by other codes.

Integration: The repealed code had been in force for 50 years. During this period several amendments were made. The new code has integrated diversified acts of amendment to make a total of 398 sections, as against 340 sections in the 1908 code.

Classification: The repealed code classified specific offenses to fit the pattern of society at the time. The new code reclassifies

specific offenses into 12 titles, as against 10 in the old code. The new grouping is properly made, as the offenses relating to trade, whose importance is ever growing, receive special treatment under Title 9 of the new code.

Police colonel PHAT Nilwatnānon, author of a previously cited book on evidence, also contributed a book in 1959 relating to the Penal Code, *Kham athibāi prāmūan kotmāi āyā khwām phit kiao kap sap* (The Penal Code, Offenses Against Property, Annotated). It is rich in footnotes and citations of related laws and should be useful to court lawyers.

Other law books and legal materials received which are worth mentioning are:

Ratha thamnūn nānā chāt prēm dūai ton chabap phāsā ankrit (Thai Translation of Constitutions of Nations with English Version) volume 1 (1959), compiled by YĀT Waidī and SOMKHIT Srisangkhom, is a collection of texts of the constitutions of the French Republic, the Republic of Vietnam, the Union of Burma, Denmark, Japan, and Thailand.

Pramūan rasadākōn (Revenue Code), compiled by SATHIAN Lāilak (1959), is a collection of legal texts of the Revenue Code and Amendment Acts.

Kot kō phō phrēm dūai rabīap khārāt-chakān phonrū'ain (Civil Service Act and Regulations), compiled by the Welfare Service of the Civil Service Commission (1958), has up-to-date legal texts relating to the Thai civil service system.

Rūam kotmāi (Collection of Law Codes), compiled by the Thai Bar Association (1959), is a collection of three codes and two related acts, namely the Civil Procedure Code, the Criminal Procedure Code, the Law for the Organization of Courts of Justice, and the Act for the Organization of Kwāng Courts and for the Criminal Procedure Therein.

Nāo kham phiphāsā dīkā kiao kap pramūan withī phīchāranā khwām phāng

phayān lakthān lə phra thamnūn sān yut-titham (1956), compiled by WĀEO YŌT Phayung, contains summaries of selected Supreme Court decisions.

Sarabān kotmāi tang tæ phō sō sōng phan si rōi kao sip hā thūng sōng phan hā rōi nu'ng (Law Index for B. E. 2495 to

2501 [1952 to 1958]), compiled by the Office of the Attorney General (1959) is the index of laws and statutes by titles, promulgated during a period of seven years, as indicated in the book's title.

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- Charles Fenderich, Lithographer of American Statesmen: A Catalog of His Work.* 1959. Compiled by Alice Lee Parker and Milton Kaplan. 64 p., 16 illus. Free upon request to the Office of the Secretary, Library of Congress, Washington 25, D.C.
- Decisions of the United States Courts Involving Copyright, 1957-1958.* Compiled and edited by Benjamin W. Rudd. 1959. 717 p. Copyright Office Bulletin, No. 31. For sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C. Price \$2.75.
- East Germany: A Selected Bibliography.* Compiled by Fritz T. Epstein. 1959. 55 p. Free upon request to the Office of the Secretary, Library of Congress, Washington 25, D.C.
- Judson King, A Register of His Papers in the Library of Congress.* 1959. 10 p. Free upon request to the Office of the Secretary, Library of Congress, Washington 25, D.C.
- Latin America in Soviet Writings, 1945-1958: A Bibliography.* Compiled by Leo A. Okinshevich and Cecilia J. Gorokhoff and edited by Nathan A. Haverstock. 1959. 257 p., illus. Hispanic Foundation Bibliographical Series, No. 5. Free upon request to the Office of the Secretary, Library of Congress, Washington 25, D.C.
- Newspapers on Microfilm.* Supplement I to the third edition. Compiled under the direction of George A. Schwegmann, Jr. 1959. 37 p. For sale by the Card Division, Library of Congress, Washington 25, D.C. Price \$1 a copy.
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